

# 106<sup>th</sup> TN General Assembly

## First Regular Session



**Thursday, February 26, 2009**

Senate – 9<sup>th</sup> Legislative Day      House – 9<sup>th</sup> Legislative Day

---

### SENATE

#### BILLS / RESOLUTIONS

SB's 2092 – bills filed through end of business today are filed for introduction and passed on first consideration.

Received from House, held on Senate desk – HB 690.

- SR 0027 by \*Watson**  
Memorials, Recognition - Project IMPACT -
- SJR 0107 by \*Black**  
Naming and Designating - "Tennessee Day of Prayer," May 7, 2009 -
- SJR 0108 by \*Finney L**  
Memorials, Retirement - Shirlene Mercer -
- SJR 0109 by \*Finney L**  
Memorials, Death - Ronnie A. Riley -
- SJR 0110 by \*Finney L**  
Memorials, Public Service - Gunhee Lee, Prudential Spirit of Community Award Distinguished Finalist -
- SJR 0111 by \*Overbey**  
Memorials, Sports - Blake Ridenour -
- \*SB 2087 by \*Beavers**  
Juries and Jurors - As introduced, restores occupational and disability exemptions to jury service in effect prior to January 1, 2009, and adds dentists to exempt occupations. - Amends TCA Title 22, Chapter 1 and Title 63, Chapter 5, Part 1.
- SB 2088 by \*Beavers (\*HB 2053 by \*Rowland )**  
Social Workers - As introduced, revises accrediting agency for social worker programs to include colleges and universities approved by the board of social workers. - Amends TCA Title 63, Chapter 23, Part 1.
- SB 2089 by \*Beavers (\*HB 1762 by \*Shipley )**  
Medicine, Practice of - As introduced, requires doctors and hospitals treating minor children to release the results of medical tests and procedures performed on the child to the child's parents upon request. - Amends TCA Title 36, Chapter 6, Part 1; Title 63 and Title 68.
- SB 2090 by \*Marrero B (\*HB 1933 by \*Jones U )**  
Taxes, Exemption and Credits - As introduced, authorizes conveyance of certain property purchased at tax sale by Shelby County, or included municipality, to adjoining property owners upon actual or in-kind payments of property's fair market value. - Amends TCA Section 67-5-2509(d).

(Senate Bills cont.)

**SB 2091** by \*Finney L (\*HB 1946 by \*Maddox )

Growth and Development - As introduced, specifies that if the regional area outside of the municipal boundaries is less than 50 percent of the entire regional area then only one member of a municipal planning commission shall be appointed from the regional area outside the municipal boundaries regardless of the number of members on a municipal planning commission designated as a regional planning commission. - Amends TCA Section 13-3-102.

**\*SB 2092** by \*Gresham (HB 2128 by \*Dean )

Highways, Roads and Bridges - As introduced, designates certain utility facilities as being eligible for reimbursement from the department of transportation for the costs of relocation due to highway construction. - Amends TCA Section 54-5-804.

**\*SB 2093** by \*Gresham (HB 2127 by \*Dean )

Taxes, Sales - As introduced, authorizes repeal of Tennessee River Resort District status by two-thirds vote of legislative body of jurisdiction. - Amends TCA Section 67-6-103.

**\*SB 2094** by \*Marrero B

Sentencing - As introduced, requires any person convicted of a Class A misdemeanor who has been previously convicted of 10 or more Class A misdemeanors within the previous 10 years to be treated as if the person has committed a Class E felony. - Amends TCA Title 40, Chapter 35.

**SB 2095** by \*Marrero B (\*HB 2136 by \*Hackworth, Jones S, DeBerry L )

Health Care - As introduced, requires physicians to notify department of children's services when treating an infant addicted to alcohol or controlled substances; directs department to monitor such children. - Amends TCA Title 37, Chapter 5 and Title 68.

**SB 2096** by \*Beavers (\*HB 2115 by \*Bell )

Handgun Permits - As introduced, permits person with handgun carry permit who is not consuming alcohol to carry handgun into unposted establishment that serves alcohol for consumption on the premises. - Amends TCA Title 39, Chapter 17, Part 13.

**SB 2097** by \*Beavers (\*HB 2116 by \*Bell )

Handgun Permits - As introduced, enacts "Tennessee Firearms Owners Relief Act of 2009." - Amends TCA Title 39, Chapter 17, Part 13.

**SB 2098** by \*Burchett (\*HB 2152 by \*McCord )

Corporations, For Profit - As introduced, requires secretary of state to promulgate rules and regulations to allow corporations to file annual report with department of revenue, accompanying franchise and excise tax return, for delivery to secretary of state; and imposes \$30.00 fee for such filing. - Amends TCA Title 48, Chapter 11 and Title 67.

**SB 2099** by \*Burchett (\*HB 2153 by \*McCord )

Secretary of State - As introduced, requires the secretary of state to promulgate a consolidated form for certain filings and requires the commissioner of revenue to convey certification to the secretary of state for purposes of termination of entities. - Amends TCA Title 8, Chapter 3; Title 48 and Title 67, Chapter 1.

**\*SB 2100** by \*Burchett (HB 2167 by \*Armstrong )

TennCare - As introduced, sets the 2007-2008 fiscal year funding level as a floor beneath which total funds available for healthcare services to hospitals through the TennCare program may not fall. - Amends TCA Title 71, Chapter 5.

**SB 2101** by \*Watson (\*HB 2069 by \*Cobb J, Floyd, Dean )

Motor Vehicles - As introduced, authorizes certain municipalities to allow golf carts on certain public roads within their jurisdiction upon the adoption of an ordinance by a two-thirds vote. - Amends TCA Title 55, Chapter 1, Part 1 and Title 55, Chapter 8.

**SB 2102** by \*Watson (\*HB 2109 by \*Floyd )

Tort Liability and Reform - As introduced, limits the civil liability of persons who own, lease, occupy, or control land when others use such land to engage in certain off-road activities and are injured due to the inherent risks associated with engaging in such activities. - Amends TCA Title 70, Chapter 7.

**SB 2103** by \*Finney L (\*HB 2025 by \*Maddox )

Real Estate Agents and Brokers - As introduced, permits a principal broker to act as principal broker for two firms as long as both firms are in the same location, which means the firms have the same physical address. - Amends TCA Section 62-13-309.

(Senate Bills cont.)

**SB 2104 by \*Stanley (\*HB 1997 by \*West )**

Employees, Employers - As introduced, requires employers to report to department of human services certain identifying information regarding employment of subcontractors and independent contractors. - Amends TCA Title 36, Chapter 5, Part 11.

**SB 2105 by \*Woodson (\*HB 1840 by \*Haynes )**

Registers of Deeds - As introduced, allows Knox County register to redact social security numbers on recorded documents maintained on computers or removable computer storage media. - Amends TCA Section 10-7-515.

**SB 2106 by \*Woodson (\*HB 2114 by \*Brooks H )**

Pensions and Retirement Benefits - As introduced, requires THEC to report to the senate and house education committees on the adequacy of higher education employees' retirement benefits. - Amends TCA Title 8 and Title 49.

**SB 2107 by \*Woodson, Black, Stanley, Tracy, Burks (\*HB 2110 by \*McDaniel, Casada, Shaw, Litz, Bone )**

Veterinarians - As introduced, prohibits local governments from restricting the authorized practice of veterinary medicine. - Amends TCA Title 63, Chapter 12.

**\*SB 2108 by \*Henry**

Hospitals and Health Care Facilities - As introduced, requires the health services and development agency to report to the senate general welfare, health and human resources committee and the house health and human resources committee concerning trends in the certificate of need process for hospitals by February 1, 2010, and every four years thereafter. - Amends TCA Section 68-11-1608.

**\*SB 2109 by \*Overbey**

Tort Liability and Reform - As introduced, adds the necessity of showing by clear and convincing evidence to the extraordinary good cause needed for a court to excuse noncompliance with certain requirements for medical malpractice filings. - Amends TCA Section 29-26-121.

**SB 2110 by \*Overbey (\*HB 2074 by \*Fitzhugh )**

Taxes, Real Property - As introduced, authorizes governing bodies of local governments to make appropriations to reimburse taxpayers for overpayment of property taxes due to clerical errors; revises description of clerical errors; clarifies jurisdiction of state board of equalization. - Amends TCA Section 5-5-124; Section 6-55-604; Section 67-5-509; Section 67-5-1412 and Section 67-5-1501.

**SB 2111 by \*Overbey (\*HB 2075 by \*Fitzhugh )**

Taxes, Real Property - As introduced, requires that judicial review of action of the state board of equalization be conducted in accordance with the Uniform Administrative Procedures Act; authorizes reviewing court to remand to board for additional proof upon request of party who was pro se before board and whose case is not substantially prejudiced as a result. - Amends TCA Section 67-5-1511.

**SB 2112 by \*Overbey (\*HB 2038 by \*McCord )**

Taxes, Exemption and Credits - As introduced, extends time period, from two years to three years, within which the department of economic and community development may allow a business to make required capital investment to qualify for certain excise tax credit. - Amends TCA Title 67, Chapter 4 and Title 67, Chapter 6.

**SB 2113 by \*Overbey (\*HB 2041 by \*McCord )**

Landlord and Tenant - As introduced, provides that present law pertaining to rented premises unfit for habitation shall continue until later amended or repealed. - Amends TCA Section 68-111-109 and Chapter 1027 of the Public Acts of 2008.

**SB 2114 by \*Norris (\*HB 2141 by \*Lundberg )**

Courts - As introduced, revises the membership of the judicial selection commission and the judicial evaluation commission; decreases term of commission members from six to four years; requires senate confirmation of governor's nominee to fill a vacancy for any state court judge; increases the vote from a majority vote to 60 percent vote that a judge must receive in a retention election; extends the sunset provision for the judicial selection and evaluation commissions to June 30, 2011. - Amends TCA Title 2; Title 4; Title 16 and Title 17.

**\*SB 2115 by \*Norris**

Sentencing - As introduced, provides that all aggravated burglaries a defendant commits within a 24-hour period count as separate prior convictions for purposes of determining if the defendant is a multiple, persistent, or career offender under the criminal sentencing reform act. - Amends TCA Title 40, Chapter 35.

(Senate Bills cont.)

**\*SB 2116 by \*Norris**

Zoning - As introduced, allows county to create board of zoning appeals with up to seven members; allows Knox County to create board of zoning appeals with up to 11 members. - Amends TCA Title 13, Chapter 7.

**\*SB 2117 by \*Norris**

General Assembly, Studies - As introduced, creates special joint committee to study unnecessary barriers hindering ability of small businesses to compete. -

**\*SB 2118 by \*Norris**

Taxes, Franchise - As introduced, designates certain counties containing areas designated as economically distressed by the federal government as tier 3 economically distressed counties for job tax credit purposes. - Amends TCA Title 67, Chapter 4, Part 21.

**SB 2119 by \*Norris (\*HB 2124 by \*Sargent )**

Taxes, Business - As introduced, clarifies status of property leased or rented with medical equipment, substances, or implants as property held for lease or rent. - Amends TCA Title 67, Chapter 4 and Title 67, Chapter 5.

**\*SB 2120 by \*Norris (HB 2186 by \*Sargent )**

Highways, Roads and Bridges - As introduced, enacts the "Tennessee Transportation State Infrastructure Bank Act." - Amends TCA Title 4; Title 9; Title 12; Title 54; Title 55; Title 65 and Title 67.

**\*SB 2121 by \*Henry, Haynes, Ramsey**

Zoning - As introduced, enacts the "Rural, Agricultural and Natural Resources Act" (RANRA). - Amends TCA Title 43 and Title 68.

**SB 2122 by \*Kyle (\*HB 2143 by \*Fitzhugh )**

Education, Higher - As introduced, enacts the "Streamlining Higher and Postsecondary Education (SHAPE) Act." - Amends TCA Title 3; Title 4; Title 5; Title 8; Title 9; Title 10; Title 12; Title 13; Title 20; Title 29; Title 39; Title 40; Title 43; Title 49; Title 50; Title 54; Title 62; Title 63; Title 64; Title 66; Title 67 and Title 68.

**\*SB 2123 by \*Tate (HB 2213 by \*DeBerry L )**

Education, Higher - As introduced, prohibits the operation of proprietary schools where credit hours for coursework are not transferable. - Amends TCA Title 49, Chapter 7, Part 20.

**\*SB 2124 by \*Tate (HB 2206 by \*Hardaway )**

Court Rules - As introduced, prohibits a stay or injunction for appeals cases involving public school funding. - Amends TCA Title 16.

**\*SB 2125 by \*Tate (HB 2207 by \*Hardaway )**

Education - As introduced, establishes a task force to reconstitute the current structure of the public school system. - Amends TCA Title 49.

**SB 2126 by \*Tate (\*HB 2072 by \*DeBerry J )**

Education - As introduced, requires state board to create an occupational diploma for students with disabilities. - Amends TCA Title 49.

**SB 2127 by \*Tate (\*HB 2147 by \*Jones U )**

Open Meetings - As introduced, exempts deliberations of civil service merit boards from the requirements of the open meetings law. - Amends TCA Title 8, Chapter 44.

**SB 2128 by \*McNally, Henry, Burchett (\*HB 2076 by \*Fitzhugh )**

Appropriations - As introduced, appropriates amount equal to the amount received from federal government under the American Recovery and Reinvestment Act of 2009 for clean and drinking water state revolving funds to the Tennessee local development authority for water programs. -

**\*SB 2129 by \*McNally**

Mental Illness - As introduced, prohibits convicted felons from being employed by mental health residential facilities; requires the department of mental health and developmental disabilities to maintain files on the employees of such facilities. - Amends TCA Title 33.

**\*SB 2130 by \*McNally**

Judges and Chancellors - As introduced, changes composition of the judicial selection commission; makes all meetings and records of the commission open to the public; requires judicial applicants to submit to work and credit history checks and to submit to criminal record checks; requires that certain judges be elected by voters within the respective grand divisions of the state. - Amends TCA Title 2; Title 4; Title 16 and Title 17.

(Senate Bills cont.)

- SB 2131** by \*McNally, Burchett, Woodson (\*HB 2163 by \*Litz, Armstrong, Niceley )  
Sales - As introduced, authorizes the sale of liquid drain openers containing sulfuric acid in concentrations of 10 percent or more intended or packaged in a form suitable for use in households. - Amends TCA Title 68, Chapter 131, Part 1.
- SB 2132** by \*Ford, O. (\*HB 2145 by \*Kernell, Cooper B, Brown, Turner L, Miller L )  
Human Services, Dept. of - As introduced, requires the department to promulgate as a rule by means of cross-reference the manual relating to the child care certificate program and requires administrative hearings in certain circumstances. - Amends TCA Title 71.
- SB 2133** by \*Woodson, Gresham (\*HB 2146 by \*Harwell, Pruitt )  
Schools, Charter - As introduced, expands definition of chartering authority to include the state board of education; provides for open enrollment charter schools; lifts caps on number of charter schools. - Amends TCA Title 49, Chapter 13.
- SB 2134** by \*Stewart (\*HB 2002 by \*Curtiss )  
Pensions and Retirement Benefits - As introduced, includes bomb and arson special agents among those persons in the TCRS engaged in law enforcement activities on a day-to-day basis having a mandatory retirement age. - Amends TCA Title 8, Chapter 36, Part 2.
- SB 2135** by \*Black (\*HB 2140 by \*Maggart, Lynn, McDonald )  
Naming and Designating - As introduced, designates a certain portion of I-65 as the "Deputy Brian Denning Memorial Highway." -
- SB 2136** by \*Black (\*HB 2159 by \*Hensley )  
Adoption - As introduced, enacts the "Embryo Donation and Adoption Act of 2009." - Amends TCA Title 36; Title 37 and Title 68.
- SB 2137** by \*Finney L, Stanley, Gresham, Herron, Norris (\*HB 1902 by \*Fitzhugh )  
Bond Issues - As introduced, authorizes the state to issue bonds to fund grants for certain projects. -
- SB 2138** by \*Finney L, Stanley, Gresham, Herron, Norris (\*HB 1903 by \*Fitzhugh )  
Appropriations - As introduced, appropriates funds for 2008-2009 fiscal year. -
- SB 2139** by \*Berke (\*HB 1356 by \*Lundberg )  
Planning, Public - As introduced, revises method of appointing non-municipal regional members to a municipal planning commission designated as a regional planning commission. - Amends TCA Title 13, Chapter 3, Part 1.
- SB 2140** by \*Berke (\*HB 2142 by \*Turner M )  
Education, Curriculum - As introduced, requires the state board of education to develop a green jobs vocational and technical education program. - Amends TCA Title 49.
- SB 2141** by \*Berke (\*HB 1718 by \*McCormick )  
Mental Illness - As introduced, relieves the sheriff or transportation agent in Hamilton County from further transportation duties after the person being transported to the hospital or treatment resource has been delivered to such facility; places further transportation duties on such facilities. - Amends TCA Title 33, Chapter 6, Part 4.
- SB 2142** by \*Berke (\*HB 2156 by \*Odom )  
Lieutenant Governor - As introduced, creates a statewide elected office of lieutenant governor starting in 2010. - Amends TCA Title 2 and Title 8.
- SB 2143** by \*Ramsey (\*HB 2160 by \*Kelsey )  
Evidence - As introduced, limits admissibility in any civil action involving conduct that constitutes sexual harassment or sexual assault of certain evidence of plaintiff's sexual conduct by the defendant in order to prove consent by the plaintiff or the absence of injury to the plaintiff. - Amends TCA Title 24, Chapter 7 and Title 40, Chapter 17.
- SB 2144** by \*Ramsey (\*HB 2161 by \*Kelsey )  
Evidence - As introduced, allows recipient of a victim's first complaint of an alleged sexual assault to testify about the fact of the first complaint and the circumstances surrounding the making of that first complaint. - Amends TCA Title 40, Chapter 17.
- \*SB 2145** by \*Ford, O. (HB 2196 by \*Camper, Cooper B, Lynn )  
Special License Plates - As introduced, authorizes issuance of Church of God in Christ cultural license plates. - Amends TCA Title 55, Chapter 4.

(Senate Bills cont.)

**SB 2146 by \*Ford, O. (\*HB 2101 by \*Towns )**

State Employees - As introduced, permits any state employee to obtain employment with another employer while working as a state employee so long as there are no conflicts with the employment schedule as a state employee. - Amends TCA Title 8, Chapter 30.

**SB 2147 by \*Haynes, Stewart (\*HB 2117 by \*Curtiss )**

Tennessee Regulatory Authority - As introduced, empowers the authority to take any actions necessary to implement and administer the universal service program support mechanism fund. - Amends TCA Title 65, Chapter 5.

**SB 2148 by \*Bunch (\*HB 2162 by \*Kelsey )**

Unemployment Compensation - As introduced, requires that no funds may be expended by the department of labor and workforce development under unemployment law for any benefits under any policy or statute authorized by Public Law 111-5 that requires expenditure of state funds under this chapter after June 30, 2011. - Amends TCA Title 50, Chapter 7.

**SB 2149 by \*Henry, Burchett, McNally, Woodson, Overbey, Haynes, Johnson, Harper, Stanley (\*HB 2134 by \*Naifeh, Harwell, Armstrong, Tindell, McCord, West, Sargent, Dunn, Fitzhugh, McDaniel )**

Boards and Commissions - As introduced, establishes the "Tennessee state museum commission." - Amends TCA Title 4.

**SB 2150 by \*Stewart (\*HB 2037 by \*Sargent )**

Financial Responsibility Law - As introduced, requires law enforcement officers to obtain proof of compliance with financial responsibility laws upon charging a person with a motor vehicle violation. - Amends TCA Section 55-12-139.

**\*SB 2151 by \*Norris (HB 2185 by \*Sargent )**

Campaigns and Campaign Finance - As introduced, prohibits secretary of state, comptroller, and treasurer from donating money to or participating in any way in campaigns for candidates for general assembly. - Amends TCA Title 2 and Title 8.

**\*SB 2152 by \*Marrero B (HB 2183 by \*Rowland )**

Divorce, Annulment and Alimony - As introduced, removes guardians ad litem from divorce and parenting plan proceedings. - Amends TCA Title 8; Title 16; Title 20; Title 29; Title 30; Title 31; Title 33; Title 34; Title 35; Title 36; Title 37; Title 46; Title 50; Title 54; Title 69 and Title 71.

**\*SB 2153 by \*Haynes**

Criminal Procedure - As introduced, authorizes use of fingerprint as form of acknowledgment in lieu of, or in addition to, a person's signature for citations and certain other notices and documents. - Amends TCA Title 7, Chapter 63; Title 16, Chapter 1; Title 40, Chapter 7 and Title 55, Chapter 50.

**SB 2154 by \*Finney L (\*HB 2154 by \*McCord )**

Nuisances - As introduced, declares that any activity that is conducted and any condition that exists subject to the terms and conditions of a permit issued by any agency, office, or department of the state shall not be found to be a nuisance. - Amends TCA Title 29, Chapter 3.

**SB 2155 by \*Watson (\*HB 1929 by \*Ford )**

Highway Signs - As introduced, "Bob Good Memorial Bridge," Interstate 26 and State Route 381 interchange in Washington County. -

**SB 2156 by \*Ketron (\*HB 2139 by \*Todd )**

Municipal Government - As introduced, codifies the generally accepted practice of municipal governing bodies to act by ordinance if the general law or charter requires the action to be by ordinance and definitely if the action levies a tax, makes a special assessment, is permanent in nature, or has a regulatory or penal effect. - Amends TCA Title 6, Chapter 54, Part 5.

**SB 2157 by \*Ketron (\*HB 2043 by \*McCord )**

Alcoholic Beverages - As introduced, adds East Fork Stables in Fentress County to the definition of premier type tourist resort. - Amends TCA Section 57-4-102.

**SB 2158 by \*Ketron (\*HB 2240 by \*Maggart)**

Immigrants - As introduced, requires department of safety to create identification cards for any resident of the state upon proof of identity and proof of residence. - Amends TCA Title 4; Title 50 and Title 55.

**SB 2159 by \*Tracy (\*HB 2179 by \*Bone )**

Highway Signs - As introduced, expresses intent to name appropriate bridge on S.R. 840 in honor of the late First Lieutenant William Eric Emmert, Tennessee Army National Guard. -

(Senate Bills cont.)

- \*SB 2160 by \*Tracy** (HB 2243 by \*Lundberg, McDaniel, Dennis, Harmon, DeBerry L, Mumpower, Matheny, Casada, Carr )  
Tort Liability and Reform - As introduced, requires a survey of patients and families concerning satisfaction with performance of a long-term care facility; imposes certain requirements on tort actions involving a long-term care facility. - Amends TCA Title 29 and Title 68.
- SB 2161 by \*Tracy** (\*HB 2170 by \*Dean, Faulkner, Todd, DeBerry J, Coleman, Armstrong, Kernell )  
Law Enforcement - As introduced, clarifies that the POST commission shall issue a certificate to any campus police officer or public safety officer upon the officer's completing a training program and gives certain statutorily defined rights to any campus police officer or public safety officer during an investigation and hearing for the officer's conduct that may result in punitive sanctions against such officer. - Amends TCA Title 38 and Title 49.
- SB 2162 by \*Tracy** (\*HB 1963 by \*Sargent )  
Workers Compensation - As introduced, imposes certain penalties on employers and employees in certain cases involving employees not authorized to work in the U.S. under federal immigration laws. - Amends TCA Title 50, Chapter 6 and Title 56.
- SB 2163 by \*Tracy** (HB 2073 by \*Cobb C )  
Shelbyville - As introduced, subject to local approval, clarifies that a majority of those present and voting shall be necessary for action by the council; clarifies that this voting procedure is to be used for election of Electric Power, Water and Sewage Board members. - Amends Chapter 754 of the Private Acts of 1947.
- SB 2164 by \*Tracy** (\*HB 1931 by \*Bone, Cobb T )  
Limitation of Actions - As introduced, limits tort liability of agritourism professionals under certain circumstances. - Amends TCA Title 43 and Title 70, Chapter 7.
- SB 2165 by \*Tracy** (\*HB 2031 by \*Maddox )  
Lottery, Scholarships and Programs - As introduced, permits dependent child of a religious worker who graduates from a high school in the foreign country that is not regionally accredited to eligible for a HOPE scholarship, if the student meets the same requirements as homeschooled religious workers' children who are presently eligible for the scholarship. - Amends TCA Title 49, Chapter 4, Part 9.
- SB 2166 by \*Bunch** (\*HB 2133 by \*Bell )  
Revenue, Dept. of - As introduced, lessens time period, from 30 days to 20 days, within which commissioner is required to turn over taxes collected and list of taxpayer information for audit purposes. - Amends TCA Title 67.
- SB 2167 by \*Bunch** (\*HB 2157 by \*Towns )  
Firearms and Ammunition - As introduced, waives handgun permit fees for persons over 65. - Amends TCA Title 39, Chapter 17, Part 13.
- SB 2168 by \*Bunch** (\*HB 2018 by \*Kelsey )  
Courts - As introduced, authorizes the governor to make interim appointments to fill judicial vacancies if the judicial selection commission sunsets on June 30, 2009. -
- SB 2169 by \*Bunch** (\*HB 1996 by \*Bone )  
Tobacco Master Settlement Agreement - As introduced, requires posting of a bond in order for a non-participating manufacturer to be included in the directory of tobacco product manufacturers. - Amends TCA Title 67, Chapter 4, Part 26.
- SB 2170 by \*Bunch** (\*HB 1851 by \*Campfield )  
Universities, State - As introduced, provides that student enrolled at a public institution of higher education in a course in which the instructor has a financial interest in the course textbook or materials does not have to purchase such textbook or course materials. - Amends TCA Title 49, Chapter 7, Part 1.
- SB 2171 by \*Bunch** (\*HB 1852 by \*Campfield )  
General Assembly - As introduced, specifies that government operations committees are standing committees for all bills referred to them. - Amends TCA Section 4-29-118 and Section 4-5-108.
- SB 2172 by \*Burchett** (\*HB 2176 by \*Ferguson )  
Cemeteries - As introduced, specifies elements of a pauper's burial a county must pay. - Amends TCA Section 5-9-101 and Section 5-9-311.
- SB 2173 by \*Crowe** (\*HB 2178 by \*Ferguson )  
Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits radiology benefits managers from denying authorization for diagnostic radiology testing recommended by a treating physician; requires denial of such testing to be made by a licensed physician. - Amends TCA Title 56 and Title 63.

(Senate Bills cont.)

**SB 2174 by \*Jackson (HB 1928 by \*Hensley )**

Lewis County - As introduced, subject to local approval, authorizes the county legislative body to approve or disapprove certain solid waste facilities based on specific criteria. -

**SB 2175 by \*Jackson (\*HB 1829 by \*Hensley )**

Highways, Roads and Bridges - As introduced, requires that "shovel ready" highway projects included in the "Accelerated Primary Highway Plan" receive funding priority in utilization of transportation monies earmarked to Tennessee through federal American Recovery and Reinvestment Act. - Amends TCA Title 54 and Title 67, Chapter 3, Part 9.

**\*SB 2176 by \*Jackson (HB 2338 by \*Shepard )**

Guns - As introduced, grants a shooting range that had been in operation for at least 30 years prior to December 16, 2008, the right to continue operating at the same location and such right shall not be amended, restricted, or terminated due to zoning changes. - Amends TCA Section 39-17-316.

**\*SB 2177 by \*Jackson (HB 2339 by \*Shepard )**

Divorce, Annulment and Alimony - As introduced, permits notice to dependent spouse in a divorce action of termination of health insurance coverage to occur by some method other than service under the rules of procedure provided the dependent spouse signs written acknowledgement of receipt of the notice. - Amends TCA Title 56, Chapter 7, Part 23.

**SB 2178 by \*Stanley (\*HB 2118 by \*Matheny )**

Consumer Protection - As introduced, authorizes the division of consumer protection to consult with the office of open records counsel concerning policies on access to records and disclosure of information. - Amends TCA Title 47, Chapter 18.

**SB 2179 by \*Stanley (\*HB 2135 by \*Litz )**

Wine, Wineries - As introduced, creates wine direct shipper license to be issued through the alcoholic beverage commission that would allow certain entities to ship wine directly to consumers age 21 years or older in this state for personal use. - Amends TCA Title 57, Chapter 3.

**SB 2180 by \*Harper (\*HB 2216 by \*Gilmore )**

Solid Waste Disposal - As introduced, requires the department of environment and conservation to either work with Middle Tennessee State University and Tennessee State University in the study of solid waste management and fund such study or account for all unused funds within the department's budget. - Amends TCA Title 68, Chapter 211.

**SB 2181 by \*Harper (\*HB 2239 by \*Odom )**

Taxes, Privilege - As introduced, authorizes accountants, engineers, architects, landscape architects, and real estate brokers to present a declaration in lieu of a certified affidavit attesting to such person's inactive status for purposes of demonstrating exemption from the professional privilege tax. - Amends TCA Title 67, Chapter 4.

**SB 2182 by \*Beavers (\*HB 2201 by \*Bone )**

Real Estate Agents and Brokers - As introduced, conforms the commission of the criminal penalty to present offense language if anyone offering or conducting real estate classes represents to a student assurance of passing an examination given by the commission and limits the present Class C misdemeanor penalty to a fine only. - Amends TCA Title 62, Chapter 13.

**SB 2183 by \*Burks (\*HB 2180 by \*Bone )**

Animals and Animal Cruelty - As introduced, removes requirement for county agricultural extension agents to investigate allegations of cruelty to livestock animals. - Amends TCA Title 39, Chapter 14, Part 2 and Title 44.

## **SECOND CONSIDERATION**

SB's 1968 – 2091 were passed on second consideration.



### **THIRD CONSIDERATION**

#### **Consent Calendar:**

SJR 92 – RE-SET to 3/19/09.

HJR 117 – CONCURRED 33-0.

#### **Consent Calendar #2:**

SB 114 – PASSED 33-0.

#### **Regular Calendar:**

SB 315 – PASSED 33-0.

SB 317 – PASSED 33-0.

SB 17 – PASSED 33-0.

### **OTHER ACTION**

SB's 159, 439 – WITHDRAWN.

### **COMMITTEE CALENDARS FOR TUESDAY, MARCH 3, 2009**

COMMERCE, LABOR & AGRICULTURE – SHR #12 – 1:30 p.m. –

SB's 847, 1960, 1664, 1737, 1700, 1717, 626, 682, 1210, 59, 431, 1548, 540, 83, 922.

EDUCATION – SHR #12 – 3:30 p.m. –

SB's 217, 293, 421. Presentations: 2009 Exemplary Award for Physical Activity from the American Heart Assn and Sen. Ketron; Coordinated School Health, Connie Givens.

ENVIRONMENT, CONSERVATION & TOURISM – SHR #12 – 11:30 a.m. –

SB's 1596, 1611, 1559, 765, 1305, 185, 840, 841, 881, 888, 1415, 1687, 255, 687, 1701, 1802, 1330, 1331, 1332, 1335.

STATE & LOCAL GOVERNMENT – SHR #12 – 8:30 a.m. –

Consent: HJR 68, SJR's 14, 81, SB 1151.

Regular: SB's 150, 1681, 587, 191, 173, 886, 194, 1886, 440, 1712, 547, 550, 551, 600.

TRANSPORTATION – SHR #12 – 10:30 a.m. –

SB's 184, 214, 256, 178, 1582, 33, 1178, 802, 447, 1711, 1218, 684, 58, 323, 393, 26, 115, 268, 242, 389, 100.

### **COMMITTEE CALENDARS FOR WEDNESDAY, MARCH 4, 2009**

FINANCE, WAYS & MEANS – SHR #12 – 1:00 p.m. –

NO BILLS ON NOTICE – committee will meet. Presentations: Incarceration costs; Federal Stimulus.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES – SHR #12 – 11:00 a.m. –

SB's 464, 465, 466, 606, 675, 1214, 1216, 1501, 441.

GOVERNMENT OPERATIONS – SHR #12 – 9:30 a.m. –

Consent: SB's 347, 350, 360, 1041, 1017, 999, 1045, 1051, 357, 363, 365, 1033, 1043, 1056, 1040, 348, 349, 351, 352, 353, 354, 367, 995, 1016, 1019, 1052

Regular: SB's 434, 378.

JUDICIARY – SHR #12 – 3:00 p.m. –

SJR 1, SB 548, SJR 30, SB's 518, 519, 520, 521, 522, 523, 837, SJR 25, SB's 312, 456, 854, 192, 66, 429.

**SENATE CONVENES AT 5:00 P.M., MONDAY, MARCH 2, 2009**

# HOUSE

## BILLS / RESOLUTIONS

HB's 1916 – 2073 and all bills filed through end of business today are filed for introduction and passed on first consideration.

Received from Senate, held on House desk – SB's 283, 316.

- HR 0026 by \*Eldridge**  
Memorials, Recognition - Weldon Trevethan -
- HR 0027 by \*Eldridge**  
Memorials, Recognition - Mattie Ray -
- \*HR 0028 by \*Litz, Naifeh, Yokley, Jones U, Shaw, Richardson, Cobb C, Turner M, Sontany, Favors, Miller L, Cooper B, Cobb T, Shepard, Pruitt, Gilmore, Brown, Fraley, Moore, Jones S, Ford , Borchert, McDonald, Harmon, Fitzhugh, Hackworth**  
General Assembly, Statement of Intent or Position - Urges governor to accept American Recovery and Reinvestment Act stimulus funds and deny funds to those legislative districts represented by those legislators who vote for legislation to refuse the federal funds. -
- HR 0029 by \*Hardaway, Kernell, Miller L, Jones U, DeBerry L, Cooper B, Odom, Naifeh, Armstrong, Pruitt, Brown, Gilmore, Richardson, Favors, Shaw, Turner L, Coley, Lollar, Todd, McManus, Kelsey, Turner M, Towns**  
Memorials, Death - former Representative Alvin King -
- \*HJR 0146 by \*Towns**  
Memorials, Congress - Urges Congress to implement the Homeowners and Bank Protection Act. -
- HJR 0147 by \*Eldridge**  
Memorials, Recognition - United States Academic Decathlon participants -
- HJR 0148 by \*Mumpower**  
Memorials, Professional Achievement - Pamela Murray, Woman Grocers of America Woman of the Year -
- \*HJR 0149 by \*McCord**  
Constitutional Amendments - Adds provisions establishing the personal right to hunt and fish, subject to reasonable regulations and restrictions prescribed by law. -
- \*HJR 0150 by \*Kelsey, Brooks H, Watson, Lynn, Swafford, Maggart, Floyd, Lundberg, Carr, Eldridge, Shipley, Campfield, Dennis, Hill, Dunn, Casada, McCormick, Bell, Hensley, Johnson P, Johnson C, Matlock, Halford, Harwell**  
Memorials, Government Officials - Urges governor to refuse certain funds from the American Recovery and Reinvestment Act. -
- HJR 0151 by \*Ferguson**  
Memorials, Recognition - Paul Jarvis, Harriman Care and Rehab Hall of Fame -
- HJR 0152 by \*Ferguson**  
Memorials, Recognition - Volena Christmas Lewis, Harriman Care and Rehab Hall of Fame -
- HJR 0153 by \*Ferguson**  
Memorials, Recognition - Anna Cofer, Harriman Care and Rehab Hall of Fame -
- HJR 0154 by \*Ferguson**  
Memorials, Recognition - Audie Roy Gullet, Harriman Care and Rehab Hall of Fame -
- HJR 0155 by \*Ferguson**  
Memorials, Recognition - Eddie Harback, Harriman Care and Rehab Hall of Fame -
- HJR 0156 by \*Evans**  
Memorials, Death - Lieutenant Stephen Bradley Hutcherson -
- HJR 0157 by \*Johnson C, Pitts**  
Memorials, Recognition - Grace Lutheran Church, 50th anniversary -

(House Bills cont.)

**HB 2080 by \*Towns (\*SB 1434 by \*Stanley )**

Property - As introduced, requires any property that the owner or landlord knows has been involved in the manufacture of methamphetamines to be professionally cleaned and the owner or landlord to notify the new occupant before selling or leasing. - Amends TCA Title 66 and Title 68, Chapter 212, Part 5.

**\*HB 2081 by \*Towns**

Firearms and Ammunition - As introduced, authorizes persons over 65 to obtain a gun carry permit without having to complete a handgun safety course. - Amends TCA Title 39, Chapter 17, Part 13.

**HB 2082 by \*Towns (\*SB 1061 by \*Marrero B )**

Election Laws - As introduced, requires only the last four digits of a person's social security number, instead of the entire social security number, to be provided and maintained on the permanent registration records in Shelby County. - Amends TCA Title 2, Chapter 2, Part 1.

**\*HB 2083 by \*Towns**

Criminal Offenses - As introduced, makes it a criminal offense punishable by fine and community service only to knowingly wear pants below waistline to show underwear or buttocks; earmarks proceeds of fines to equipment for school activities. - Amends TCA Title 39.

**HB 2084 by \*Towns (\*SB 1691 by \*Marrero B )**

Consumer Protection - As introduced, adds the practice of operating private parking service using a device to immobilize vehicles for unauthorized parking, charging a fee for such device's removal, and refusing to allow choice of payment options as violation of Consumer Protection Act. - Amends TCA Title 47, Chapter 18, Part 1.

**HB 2085 by \*Sargent, Fitzhugh, Naifeh, Cobb C, McCormick, Stewart, Harwell, Johnson P (\*SB 1203 by \*Overbey, Stewart, Stanley, Tracy, Finney L, Jackson, Bunch, Burks, Burchett, Ketron, Watson, Johnson )**  
Business and Commerce - As introduced, enacts the "Tennessee Small Business Investment Company Credit Act." - Amends TCA Title 4 and Title 56.

**HB 2086 by \*Towns (\*SB 1544 by \*Burchett )**

Consumer Protection - As introduced, adds the practice of engaging in business of private parking service and using a device to immobilize a vehicle for unauthorized parking without posting conspicuous signage as a violation of the Consumer Protection Act. - Amends TCA Title 47, Chapter 18, Part 1.

**\*HB 2087 by \*Towns**

Driver Licenses - As introduced, increases period of denial of license due to withdrawal from secondary school from 18 to 21 years of age with certain exceptions. - Amends TCA Title 49, Chapter 6, Part 30 and Title 55, Chapter 50.

**HB 2088 by \*Towns (\*SB 1490 by \*Ford, O. )**

State Inmates - As introduced, requires first or second term inmates without high school diplomas or GEDs to attend GED examination preparation classes. - Amends TCA Title 41, Chapter 21.

**HB 2089 by \*Towns (\*SB 1059 by \*Marrero B )**

Local Government, General - As introduced, requires local governments to notify owners of property seized by such local government by certified mail; notice must include method of appealing such seizure; if seized property is damaged or destroyed, local government must reimburse owner if property should have been returned to the owner. - Amends TCA Title 5, Chapter 1; Title 6, Chapter 54 and Title 7, Chapter 3.

**\*HB 2090 by \*Towns**

Judgments - As introduced, prohibits execution, seizure, or attachment on personal bank account of debtor if attempted by any business entity; makes withdrawal of funds by a business from a personal bank account resulting from delinquency or non-payment an unfair or deceptive act under Consumer Protection Act. - Amends TCA Title 25; Title 26; Title 45 and Title 47.

**HB 2091 by \*Towns (\*SB 1492 by \*Ford, O. )**

Bail, Bail Bonds - As introduced, authorizes certain persons convicted of a felony to be bail bondsmen. - Amends TCA Title 40, Chapter 11.

**HB 2092 by \*Towns (\*SB 1491 by \*Ford, O. )**

Unemployment Compensation - As introduced, prevents reduction or termination of unemployment benefits due to claimant's enrollment in an institution of higher education. - Amends TCA Title 50, Chapter 7.

(House Bills cont.)

**\*HB 2093 by \*Towns**

Pari-mutuel Betting - As introduced, re-establishes the Tennessee state racing commission to implement and administer the provisions of the Racing Control Act of 1987. - Amends TCA Section 4-29-230 and Title 4, Chapter 36.

**HB 2094 by \*Towns (\*SB 1488 by \*Ford, O. )**

Education - As introduced, deletes requirement that students pass comprehensive assessment program tests prior to graduating from high school; requires students to successfully complete all grade 12 requirements instead. - Amends TCA Title 49, Chapter 6 and Section 55-50-322.

**HB 2095 by \*Towns (\*SB 1845 by \*Kyle )**

Municipal Government - As introduced, requires a referendum be conducted before a publicly funded entity can be sold or leased; "sale or lease" means that more than 30 percent of the assets of the entity are subject to sale or lease. - Amends TCA Title 7, Chapter 51.

**HB 2096 by \*Towns (\*SB 1489 by \*Ford, O. )**

Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits an insurance company from setting rates based upon the zip code of the applicant's place of residence or employment. - Amends TCA Title 56, Chapter 5.

**HB 2097 by \*Towns (\*SB 1433 by \*Stanley )**

Consumer Protection - As introduced, renames "Tennessee Identity Theft Deterrence Act of 1999" to "Tennessee Identification and Personal Information Protection Act of 2009"; includes unauthorized transfer of personal information under such act. - Amends TCA Title 45; Title 47, Chapter 18 and Title 56.

**HB 2098 by \*Towns (\*SB 0991 by \*Burks )**

Food and Food Products - As introduced, enacts the "Genetically Engineered Food Labeling Act of 2009." - Amends TCA Title 47, Chapter 18, Part 1 and Title 53, Chapter 1.

**HB 2099 by \*Towns (\*SB 1757 by \*Ford, O. )**

Criminal Offenses - As introduced, makes it a criminal offense punishable by fine and community service only to knowingly wear pants below waistline to show underwear or buttocks; earmarks proceeds of fines to equipment for school activities. - Amends TCA Title 39 and Title 49.

**HB 2100 by \*Towns (\*SB 1545 by \*Burchett )**

Consumer Protection - As introduced, makes it an unfair or deceptive act for an entity to request a person's social security number; permits the request to be made in certain circumstances. - Amends TCA Title 47, Chapter 18.

**\*HB 2101 by \*Towns**

State Employees - As introduced, permits any state employee to obtain employment with another employer while working as a state employee so long as there are no conflicts with the employment schedule as a state employee. - Amends TCA Title 8, Chapter 30.

**\*HB 2102 by \*Sargent**

Workers Compensation - As introduced, provides that illegal immigrants receive lesser workers' compensation benefits unless it is demonstrated that the employer had actual knowledge that the worker was an illegal immigrant at the time of being hired. - Amends TCA Title 50, Chapter 6 and Title 56.

**HB 2103 by \*Shepard (\*SB 1764 by \*Herron )**

Mortgages - As introduced, delays the sale of land to foreclose a loan, mortgage, or deed of trust on owner-occupied single family residences for a period of time. - Amends TCA Title 35, Chapter 5, Part 1.

**HB 2104 by \*Shepard (\*SB 1795 by \*Herron )**

Insurance, Health, Accident - As introduced, provides for an appeal to the commissioner of commerce and insurance by health care providers against a managed health insurance issuer concerning publication of certain disputed information. - Amends TCA Title 56, Chapter 32.

**HB 2105 by \*Shepard (\*SB 1789 by \*Herron )**

Insurance, Health, Accident - As introduced, revises the definition of "autism spectrum disorder" and the required insurance coverage of autism spectrum disorder. - Amends TCA Title 56, Chapter 7.

**HB 2106 by \*Fincher (\*SB 1709 by \*Herron )**

Women - As introduced, enacts the "Tennessee Pregnant Women Support Act." - Amends TCA Title 49; Title 56; Title 63; Title 68 and Title 71.

(House Bills cont.)

**HB 2107 by \*Fincher (\*SB 1797 by \*Herron )**

Physicians and Surgeons - As introduced, permits physicians to perform medical care services at certain free health clinics and receive liability protection if the clinic charges patients fees at a level approved by the commissioner of health. - Amends TCA Title 63.

**\*HB 2108 by \*Fincher**

Criminal Procedure - As introduced, requires law enforcement officer to have search warrant issued upon showing of probable cause in order to attach a tracking device to the motor vehicle of a suspect. - Amends TCA Title 40, Chapter 6, Part 1.

**\*HB 2109 by \*Floyd (SB 2102 by \*Watson )**

Tort Liability and Reform - As introduced, limits the civil liability of persons who own, lease, occupy, or control land when others use such land to engage in certain off-road activities and are injured due to the inherent risks associated with engaging in such activities. - Amends TCA Title 70, Chapter 7.

**\*HB 2110 by \*McDaniel, Casada, Shaw, Litz, Bone (SB 2107 by \*Woodson, Black, Stanley, Tracy, Burks )**

Veterinarians - As introduced, prohibits local governments from restricting the authorized practice of veterinary medicine. - Amends TCA Title 63, Chapter 12.

**HB 2111 by \*Borchert (\*SB 1793 by \*Herron )**

Parks, Natural Areas Preservation - As introduced, requires the commissioner of the department of environment and conservation to offer discounted rates to veterans for activities at Tennessee state parks and defines the term "veteran." - Amends TCA Title 11, Chapter 3.

**\*HB 2112 by \*Borchert**

School Districts, Special - As introduced, authorizes and empowers the Paris Special School District of Henry County to issue capital outlay notes in a principal amount not to exceed \$1,750,000. -

**HB 2113 by \*Hensley (\*SB 2086 by \*Jackson )**

Parks, Natural Areas Preservation - As introduced, designates additional segment of Buffalo River, which is segment in Lewis County, as Class II Pastoral River. - Amends TCA Title 11, Chapter 13.

**\*HB 2114 by \*Brooks H (SB 2106 by \*Woodson )**

Pensions and Retirement Benefits - As introduced, requires THEC to report to the senate and house education committees on the adequacy of higher education employees' retirement benefits. - Amends TCA Title 8 and Title 49.

**\*HB 2115 by \*Bell (SB 2096 by \*Beavers )**

Handgun Permits - As introduced, permits person with handgun carry permit who is not consuming alcohol to carry handgun into unposted establishment that serves alcohol for consumption on the premises. - Amends TCA Title 39, Chapter 17, Part 13.

**\*HB 2116 by \*Bell (SB 2097 by \*Beavers )**

Handgun Permits - As introduced, enacts "Tennessee Firearms Owners Relief Act of 2009." - Amends TCA Title 39, Chapter 17, Part 13.

**\*HB 2117 by \*Curtiss**

Tennessee Regulatory Authority - As introduced, empowers the authority to take any actions necessary to implement and administer the universal service program support mechanism fund. - Amends TCA Title 65, Chapter 5.

**\*HB 2118 by \*Matheny**

Consumer Protection - As introduced, authorizes the division of consumer protection to consult with the office of open records counsel concerning policies on access to records and disclosure of information. - Amends TCA Title 47, Chapter 18.

**\*HB 2119 by \*Hawk**

Game and Fish Laws - As introduced, bans bear hunting in Unicoi County during archery-only season as established by the Tennessee wildlife commission. - Amends TCA Title 70, Chapter 4, Part 1.

**HB 2120 by \*Haynes (\*SB 2084 by \*Burchett )**

Credit and Debit Cards - As introduced, requires credit card issuers to credit payments by mail to card holders' accounts as of the date the payment is postmarked. - Amends TCA Title 47, Chapter 18 and Title 47, Chapter 22.

**HB 2121 by \*Sargent (\*SB 1379 by \*Johnson )**

Credit Unions - As introduced, authorizes payment of one member of the board of directors of a credit union. - Amends TCA Title 45, Chapter 4, Part 2.

(House Bills cont.)

**HB 2122 by \*Sargent (\*SB 1906 by \*Jackson )**

Lottery, Scholarships and Programs - As introduced, requires the comptroller to assemble a task force to recommend a K-12 capital outlay program funded from excess net lottery proceeds for construction of permanent school improvements to replace nonpermanent structures. - Amends TCA Title 4, Chapter 31, Part 10; Title 4, Chapter 51, Part 1; Title 8, Chapter 4; Title 9, Chapter 4; Title 9, Chapter 9, Part 1; Title 49 and Chapter 1203 of the Private Acts of 2008.

**HB 2123 by \*Sargent (\*SB 1380 by \*Johnson )**

Credit Unions - As introduced, authorizes payment of one member of the board of directors of a credit union. - Amends TCA Title 45, Chapter 4, Part 2.

**\*HB 2124 by \*Sargent (SB 2119 by \*Norris )**

Taxes, Business - As introduced, clarifies status of property leased or rented with medical equipment, substances, or implants as property held for lease or rent. - Amends TCA Title 67, Chapter 4 and Title 67, Chapter 5.

**\*HB 2125 by \*McDonald**

Hospitals and Health Care Facilities - As introduced, requires nursing home facilities to implement minimum direct-care staffing-to-patient ratios and changes the term "nurse assistant" to "nurse aide" to conform with federal law. - Amends TCA Title 68, Chapter 11, Part 8.

**HB 2126 by \*Turner M (\*SB 1887 by \*Kyle )**

Campaigns and Campaign Finance - As introduced, decreases aggregate amount individual can contribute to candidates and all PACs to \$25,000 every two years. - Amends TCA Section 2-10-312.

**HB 2127 by \*Dean (\*SB 2093 by \*Gresham )**

Taxes, Sales - As introduced, authorizes repeal of Tennessee River Resort District status by two-thirds vote of legislative body of jurisdiction. - Amends TCA Section 67-6-103.

**HB 2128 by \*Dean (\*SB 2092 by \*Gresham )**

Highways, Roads and Bridges - As introduced, designates certain utility facilities as being eligible for reimbursement from the department of transportation for the costs of relocation due to highway construction. - Amends TCA Section 54-5-804.

**HB 2129 by \*Sontany (\*SB 2082 by \*Harper )**

Probation and Parole - As introduced, specifies a psychiatrist, rather than a psychologist, must evaluate an inmate convicted of a sex crime and determine that the inmate does not pose a threat prior to release. - Amends TCA Title 39; Title 40 and Title 41.

**\*HB 2130 by \*Mumpower**

Lottery, Scholarships and Programs - As introduced, establishes additional grant of \$500 to entering freshman receiving HOPE scholarship or access grant for completion of Tennessee scholars program. - Amends TCA Title 49, Chapter 4, Part 9.

**HB 2131 by \*McCormick (\*SB 1995 by \*Norris )**

Pharmacy, Pharmacists - As introduced, defines "third party logistics provider" and establishes licensing requirements for third party logistics providers. - Amends TCA Title 53, Chapter 10; Title 53, Chapter 11 and Title 63, Chapter 10.

**HB 2132 by \*McCormick (\*SB 2052 by \*Watson )**

Agriculture, Dept. of - As introduced, authorizes department to issue certificate of free sale for food, drugs, or cosmetics if manufacturer or distributor is authorized to manufacture or distribute the product and it can be sold freely or the party has provided documentation of FDA inspection and the party appears to be authorized to sell. - Amends TCA Title 53, Chapter 1.

**\*HB 2133 by \*Bell**

Revenue, Dept. of - As introduced, lessens time period, from 30 days to 20 days, within which commissioner is required to turn over taxes collected and list of taxpayer information for audit purposes. - Amends TCA Title 67.

**\*HB 2135 by \*Litz**

Wine, Wineries - As introduced, creates wine direct shipper license to be issued through the alcoholic beverage commission that would allow certain entities to ship wine directly to consumers age 21 years or older in this state for personal use. - Amends TCA Title 57, Chapter 3.

(House Bills cont.)

**\*HB 2136** by \*Hackworth, Jones S, DeBerry L (SB 2095 by \*Marrero B )

Health Care - As introduced, requires physicians to notify department of children's services when treating an infant addicted to alcohol or controlled substances; directs department to monitor such children. - Amends TCA Title 37, Chapter 5 and Title 68.

**\*HB 2137** by \*Harrison, Litz, Roach

Pest Control - As introduced, prohibits a pest control operator from initially entering into a contract for provision of termite prevention or control services on a structure or building until the operator has applied a suitable pesticide to such structure or building. - Amends TCA Title 62, Chapter 21.

**\*HB 2138** by \*Harrison

Wine, Wineries - As introduced, requires sale of wine at retail be regulated locally instead of by the alcoholic beverage commission. - Amends TCA Title 57.

**\*HB 2139** by \*Todd

Municipal Government - As introduced, codifies the generally accepted practice of municipal governing bodies to act by ordinance if the general law or charter requires the action to be by ordinance and definitely if the action levies a tax, makes a special assessment, is permanent in nature, or has a regulatory or penal effect. - Amends TCA Title 6, Chapter 54, Part 5.

**\*HB 2140** by \*Maggart, Lynn, McDonald

Naming and Designating - As introduced, designates a certain portion of I-65 as the "Deputy Brian Denning Memorial Highway." -

**\*HB 2141** by \*Lundberg (SB 2114 by \*Norris )

Courts - As introduced, revises the membership of the judicial selection commission and the judicial evaluation commission; decreases term of commission members from six to four years; requires senate confirmation of governor's nominee to fill a vacancy for any state court judge; increases the vote from a majority vote to 60 percent vote that a judge must receive in a retention election; extends the sunset provision for the judicial selection and evaluation commissions to June 30, 2011. - Amends TCA Title 2; Title 4; Title 16 and Title 17.

**\*HB 2142** by \*Turner M

Education, Curriculum - As introduced, requires the state board of education to develop a green jobs vocational and technical education program. - Amends TCA Title 49.

**\*HB 2143** by \*Fitzhugh

Education, Higher - As introduced, enacts the "Streamlining Higher and Postsecondary Education (SHAPE) Act." - Amends TCA Title 3; Title 4; Title 5; Title 8; Title 9; Title 10; Title 12; Title 13; Title 20; Title 29; Title 39; Title 40; Title 43; Title 49; Title 50; Title 54; Title 62; Title 63; Title 64; Title 66; Title 67 and Title 68.

**HB 2144** by \*Roach (\*SB 1463 by \*Haynes )

Real Estate Agents and Brokers - As introduced, deletes statutory requirement that executive director of the real estate commission have passed the broker's examination. - Amends TCA Title 62, Chapter 13.

**\*HB 2145** by \*Kernell, Cooper B, Brown, Turner L, Miller L

Human Services, Dept. of - As introduced, requires the department to promulgate as a rule by means of cross-reference the manual relating to the child care certificate program and requires administrative hearings in certain circumstances. - Amends TCA Title 71.

**\*HB 2146** by \*Harwell, Pruitt

Schools, Charter - As introduced, expands definition of chartering authority to include the state board of education; provides for open enrollment charter schools; lifts caps on number of charter schools. - Amends TCA Title 49, Chapter 13.

**\*HB 2147** by \*Jones U

Open Meetings - As introduced, exempts deliberations of civil service merit boards from the requirements of the open meetings law. - Amends TCA Title 8, Chapter 44.

**HB 2148** by \*Jones U (\*SB 0708 by \*Tate )

School Boards - As introduced, dissolves local school boards of poorly performing special school districts. - Amends TCA Title 49, Chapter 1.

**HB 2149** by \*Jones U (\*SB 1874 by \*Kyle )

Lottery, Scholarships and Programs - As introduced, adds University of Tennessee System and Board of Regents as recipients of THEC's annual report on scholarship and grant programs data. - Amends TCA Title 4, Chapter 31; Title 4, Chapter 51; Title 8, Chapter 4; Title 9, Chapter 4 and Title 49.

(House Bills cont.)

**HB 2150 by \*Jones U (\*SB 1875 by \*Kyle )**

Lottery, Corporation - As introduced, requires posting and archiving of annual reports on TELC's Web page. - Amends TCA Title 4, Chapter 51, Part 1; Title 4, Chapter 51, Part 2 and Title 39, Chapter 17, Part 5.

**HB 2151 by \*Jones U (\*SB 1457 by \*Haynes )**

Public Records - As introduced, removes requirement that public records be made available for public inspection and copying if such records are posted on the official Web site of the custodian. - Amends TCA Section 10-7-503.

**\*HB 2152 by \*McCord (SB 2098 by \*Burchett )**

Corporations, For Profit - As introduced, requires secretary of state to promulgate rules and regulations to allow corporations to file annual report with department of revenue, accompanying franchise and excise tax return, for delivery to secretary of state; and imposes \$30.00 fee for such filing. - Amends TCA Title 48, Chapter 11 and Title 67.

**\*HB 2153 by \*McCord (SB 2099 by \*Burchett )**

Secretary of State - As introduced, requires the secretary of state to promulgate a consolidated form for certain filings and requires the commissioner of revenue to convey certification to the secretary of state for purposes of termination of entities. - Amends TCA Title 8, Chapter 3; Title 48 and Title 67, Chapter 1.

**\*HB 2154 by \*McCord**

Nuisances - As introduced, declares that any activity that is conducted and any condition that exists subject to the terms and conditions of a permit issued by any agency, office, or department of the state shall not be found to be a nuisance. - Amends TCA Title 29, Chapter 3.

**HB 2155 by \*McCord (\*SB 1998 by \*Norris )**

Public Records - As introduced, prohibits publication of any information contained in an application or application for renewal of a handgun carry permit; allows access by law enforcement for investigation or prosecution; gives civil cause of action to anyone whose information is published. - Amends TCA Section 10-7-504; Title 39, Chapter 17, Part 13 and Title 55.

**\*HB 2156 by \*Odom**

Lieutenant Governor - As introduced, creates a statewide elected office of lieutenant governor starting in 2010. - Amends TCA Title 2 and Title 8.

**\*HB 2157 by \*Townes**

Firearms and Ammunition - As introduced, waives handgun permit fees for persons over 65. - Amends TCA Title 39, Chapter 17, Part 13.

**\*HB 2158 by \*Turner L, Armstrong, Cooper B**

Funeral Directors and Embalmers - As introduced, requires continuing education for all licensees; establishes inactive status for funeral directors and embalmers. - Amends TCA Title 62, Chapter 5, Part 6.

**\*HB 2159 by \*Hensley**

Adoption - As introduced, enacts the "Embryo Donation and Adoption Act of 2009." - Amends TCA Title 36; Title 37 and Title 68.

**\*HB 2160 by \*Kelsey**

Evidence - As introduced, limits admissibility in any civil action involving conduct that constitutes sexual harassment or sexual assault of certain evidence of plaintiff's sexual conduct by the defendant in order to prove consent by the plaintiff or the absence of injury to the plaintiff. - Amends TCA Title 24, Chapter 7 and Title 40, Chapter 17.

**\*HB 2161 by \*Kelsey**

Evidence - As introduced, allows recipient of a victim's first complaint of an alleged sexual assault to testify about the fact of the first complaint and the circumstances surrounding the making of that first complaint. - Amends TCA Title 40, Chapter 17.

**\*HB 2162 by \*Kelsey**

Unemployment Compensation - As introduced, requires that no funds may be expended by the department of labor and workforce development under unemployment law for any benefits under any policy or statute authorized by Public Law 111-5 that requires expenditure of state funds under this chapter after June 30, 2011. - Amends TCA Title 50, Chapter 7.



(House Bills cont.)

**\*HB 2163 by \*Litz, Armstrong, Niceley**

Sales - As introduced, authorizes the sale of liquid drain openers containing sulfuric acid in concentrations of 10 percent or more intended or packaged in a form suitable for use in households. - Amends TCA Title 68, Chapter 131, Part 1.

**\*HB 2164 by \*Turner L**

Education - As introduced, authorizes creation of single source funding districts in counties where more than one LEA exists. - Amends TCA Title 49, Chapter 2.

**\*HB 2165 by \*Faulkner, Rich, Todd, Harrison, Dennis, Lollar**

Sexual Offenders - As introduced, requires juveniles 14-18 adjudicated delinquent for commission of certain sexual offenses to register with the sex offender registry as a violent juvenile sexual offender; requires a juvenile sexual offender to submit a DNA sample to TBI. - Amends TCA Title 40.

**\*HB 2166 by \*Faulkner, Rich, Harrison, Dennis, Hill, Halford, Kelsey, Lollar**

Railroads - As introduced, requires POST commission to establish standards for certification of railroad police officers. - Amends TCA Title 38, Chapter 8 and Title 65, Chapter 6.

**HB 2167 by \*Armstrong (\*SB 2100 by \*Burchett)**

TennCare - As introduced, sets the 2007-2008 fiscal year funding level as a floor beneath which total funds available for healthcare services to hospitals through the TennCare program may not fall. - Amends TCA Title 71, Chapter 5.

**HB 2168 by \*Armstrong (\*SB 2085 by \*Burchett)**

Naming and Designating - Names Knoxville, Tennessee, National Guard Armory in honor of the late Colonel Russell Austin Newman, USA, Retired.

**\*HB 2134 by \*Naifeh, Harwell, Armstrong, Tindell, McCord, West, Sargent, Dunn, Fitzhugh, McDaniel (SB 2149 by \*Henry, Burchett, McNally, Woodson, Overbey, Haynes, Johnson, Harper, Stanley)**

Boards and Commissions - As introduced, establishes the "Tennessee state museum commission." - Amends TCA Title 4.

**HB 2169 by \*Jones U (\*SB 1581 by \*Burchett)**

Alcoholic Beverages - As introduced, authorizes alcoholic beverages to be sold for consumption on the premises of a commercially operated recreational facility in Rhea County. - Amends TCA Section 57-4-102.

**\*HB 2170 by \*Dean, Faulkner, Todd, DeBerry J, Coleman, Armstrong, Kernell**

Law Enforcement - As introduced, clarifies that the POST commission shall issue a certificate to any campus police officer or public safety officer upon the officer's completing a training program and gives certain statutorily defined rights to any campus police officer or public safety officer during an investigation and hearing for the officer's conduct that may result in punitive sanctions against such officer. - Amends TCA Title 38 and Title 49.

**\*HB 2171 by \*Kernell**

Boards and Commissions - As introduced, requires persons regulated by boards and commissions to have CPR training by July 1, 2011. - Amends TCA Title 49; Title 62 and Title 63.

**\*HB 2172 by \*Kernell**

Municipal Government - As introduced, authorizes the petition calling for a charter commission to amend or revise the charter of a home rule municipality to give the charter commission unlimited authority or to limit the scope of such charter commission to specific part or parts or subjects within parts of the charter to be amended, altered, or reformed. - Amends TCA Section 6-53-105.

**HB 2173 by \*DeBerry L (\*SB 0096 by \*Berke)**

Education - As introduced, requires LEAs to report each fiscal year the percentage of expenditures made on classroom expenditures district-wide and by school; requires classroom expenditures to be at least 70 percent of the total operating expenditures both district-wide and by school by fiscal year 2013-2014 and to reach at least 90 percent by fiscal year 2017-2018. - Amends TCA Title 49.

**HB 2174 by \*DeBerry L (\*SB 2024 by \*Berke)**

Criminal Offenses - As introduced, requires office of criminal justice programs in department of finance and administration to establish program, and seek federal funding, for use by drug courts to combat overt drug trafficking and associated violence. - Amends TCA Title 16, Chapter 22.

(House Bills cont.)

**\*HB 2175 by \*DeBerry L**

Taxes, Real Property - As introduced, exempts Shelby County from prohibition against correcting clerical mistakes in tax reports or schedule filed by a taxpayer with the assessor. - Amends TCA Title 67, Chapter 5.

**\*HB 2176 by \*Ferguson**

Cemeteries - As introduced, specifies elements of a pauper's burial a county must pay. - Amends TCA Section 5-9-101 and Section 5-9-311.

**HB 2177 by \*Ferguson (\*SB 2116 by \*Norris )**

Zoning - As introduced, allows county to create board of zoning appeals with up to seven members; allows Knox County to create board of zoning appeals with up to 11 members. - Amends TCA Title 13, Chapter 7.

**\*HB 2178 by \*Ferguson**

Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits radiology benefits managers from denying authorization for diagnostic radiology testing recommended by a treating physician; requires denial of such testing to be made by a licensed physician. - Amends TCA Title 56 and Title 63.

**\*HB 2179 by \*Bone**

Highway Signs - As introduced, expresses intent to name appropriate bridge on S.R. 840 in honor of the late First Lieutenant William Eric Emmert, Tennessee Army National Guard. -

**\*HB 2180 by \*Bone**

Animals and Animal Cruelty - As introduced, removes requirement for county agricultural extension agents to investigate allegations of cruelty to livestock animals. - Amends TCA Title 39, Chapter 14, Part 2 and Title 44.

**HB 2181 by \*Shipley, Matheny (\*SB 1584 by \*Overbey )**

Psychologists - As introduced, authorizes certain psychologists to prescribe medications and treatments for patients. - Amends TCA Title 17; Title 39; Title 53, Chapter 10, Part 1; Section 63-10-204; Title 63, Chapter 11, Part 2; Section 63-11-218; Section 63-31-101; Section 63-7-103; and Section 68-29-121.

**HB 2182 by \*Turner L (\*SB 2054 by \*Tate )**

Taxes - As introduced, enacts the "Tennessee Modernization and Economic Stimulus Act." - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

**HB 2183 by \*Rowland (\*SB 2152 by \*Marrero B )**

Divorce, Annulment and Alimony - As introduced, removes guardians ad litem from divorce and parenting plan proceedings. - Amends TCA Title 8; Title 16; Title 20; Title 29; Title 30; Title 31; Title 33; Title 34; Title 35; Title 36; Title 37; Title 46; Title 50; Title 54; Title 69 and Title 71.

**HB 2184 by \*Lollar (\*SB 1777 by \*Herron )**

Safety, Dept. of - As introduced, directs the department to take appropriate measures to ensure the security of participants in attendance at the Tennessee intercollegiate state legislature conducted each year on the grounds and in the facilities of the Capitol Hill complex in Nashville. - Amends TCA Title 4, Chapter 3, Part 20 and Title 49, Chapter 3, Part 20.

**HB 2185 by \*Sargent (\*SB 2151 by \*Norris )**

Campaigns and Campaign Finance - As introduced, prohibits secretary of state, comptroller, and treasurer from donating money to or participating in any way in campaigns for candidates for general assembly. - Amends TCA Title 2 and Title 8.

**HB 2186 by \*Sargent (\*SB 2120 by \*Norris )**

Highways, Roads and Bridges - As introduced, enacts the "Tennessee Transportation State Infrastructure Bank Act." - Amends TCA Title 4; Title 9; Title 12; Title 54; Title 55; Title 65 and Title 67.

**HB 2187 by \*Brooks K (\*SB 2033 by \*Bunch )**

Tennessee Housing Development Agency - As introduced, requires agency to develop and implement a system of county needs scores. - Amends TCA Title 13, Chapter 23.

**HB 2188 by \*DeBerry L (\*SB 1994 by \*Norris )**

Taxes, Franchise - As introduced, increases franchise and excise tax credit for financial institutions donating to the Tennessee rural development opportunity fund from 10 percent of contribution to 11 percent of contribution. - Amends TCA Title 67.

(House Bills cont.)

**HB 2189** by \*DeBerry L (\*SB 1973 by \*Norris, Ketron )

Public Records - As introduced, makes confidential information regarding a public employee's health savings account, retirement account, and pension account. - Amends TCA Title 10, Chapter 7, Part 5.

**HB 2190** by \*Turner L, Jones U, Lynn (\*SB 1971 by \*Norris )

Unemployment Compensation - As introduced, provides that non-resident parties secure judicial review of board of review decisions by filing in the chancery court of the county where the employer is located unless it is a tax case in which case filing would be in Davidson County. - Amends TCA Title 50, Chapter 7.

**HB 2191** by \*DeBerry L (\*SB 1972 by \*Norris, Ketron )

Purchasing - As introduced, creates alternative procedure for competitive bids for governmental utility board if board finds it is unlikely such procedure will encourage favoritism or substantially diminish competition for contracts. - Amends TCA Title 12, Chapter 3.

**HB 2192** by \*DeBerry J (\*SB 1996 by \*Norris )

Fiscal Review Committee - As introduced, clarifies that term "operating costs," for purposes of fiscal notes for bills resulting in net increase in periods of state incarceration, includes deductions for reductions in recidivism and cost savings to community. - Amends TCA Title 3 and Title 9, Chapter 4, Part 2.

**HB 2193** by \*DeBerry J (\*SB 2115 by \*Norris )

Sentencing - As introduced, provides that all aggravated burglaries a defendant commits within a 24-hour period count as separate prior convictions for purposes of determining if the defendant is a multiple, persistent, or career offender under the criminal sentencing reform act. - Amends TCA Title 40, Chapter 35.

**\*HB 2194** by \*Harmon

School Districts, Special - As introduced, allows a special school district to remain in existence when a county, in which there is at least one special school district, and a city or cities within the county choose to form a metropolitan government. - Amends TCA Title 7 and Title 49.

**HB 2195** by \*Camper (\*SB 2094 by \*Marrero B )

Sentencing - As introduced, requires any person convicted of a Class A misdemeanor who has been previously convicted of 10 or more Class A misdemeanors within the previous 10 years to be treated as if the person has committed a Class E felony. - Amends TCA Title 40, Chapter 35.

**HB 2196** by \*Camper, Cooper B, Lynn (\*SB 2145 by \*Ford, O. )

Special License Plates - As introduced, authorizes issuance of Church of God in Christ cultural license plates. - Amends TCA Title 55, Chapter 4.

**HB 2197** by \*Miller L, Lundberg (\*SB 1690 by \*Ketron )

Wine, Wineries - As introduced, creates direct shipper license to be issued through the alcoholic beverage commission that would allow an in-state or out-of-state entity to ship wine directly to consumers age 21 years or older in this state for personal use. - Amends TCA Title 57, Chapter 3.

**HB 2198** by \*Miller L (\*SB 2118 by \*Norris )

Taxes, Franchise - As introduced, designates certain counties containing areas designated as economically distressed by the federal government as tier 3 economically distressed counties for job tax credit purposes. - Amends TCA Title 67, Chapter 4, Part 21.

**HB 2199** by \*Miller L (\*SB 2117 by \*Norris )

General Assembly, Studies - As introduced, creates special joint committee to study unnecessary barriers hindering ability of small businesses to compete. -

**HB 2200** by \*Casada (\*SB 1198 by \*Tracy )

Hospitals and Health Care Facilities - As introduced, changes the Web site utilized by the board for licensing health care facilities to indicate whether a facility has certain fire safety mechanisms. - Amends TCA Title 68, Chapter 11.

**\*HB 2201** by \*Bone

Real Estate Agents and Brokers - As introduced, conforms the commission of the criminal penalty to present offense language if anyone offering or conducting real estate classes represents to a student assurance of passing an examination given by the commission and limits the present Class C misdemeanor penalty to a fine only. - Amends TCA Title 62, Chapter 13.

(House Bills cont.)

**\*HB 2202 by \*Maddox**

Victims' Rights - As introduced, adds as a "critical stage of the criminal justice process" for purposes of notifying victims under the victim's rights constitutional amendment any hearing on a motion to continue or any other similar hearing that may adversely impact a victim's right to a speedy trial. - Amends TCA Title 40, Chapter 38, Part 3.

**HB 2203 by \*Maddox (\*SB 1796 by \*Herron )**

Children - As introduced, enacts the "Unborn Child Protection Act." - Amends TCA Title 37, Chapter 10 and Title 37, Chapter 5.

**HB 2204 by \*Maddox (\*SB 1794 by \*Herron )**

Abortion - As introduced, requires informed consent prior to an abortion; requires a 24-hour waiting period prior to an abortion; establishes an exception to informed consent and waiting period requirements when necessary to protect the life or health of the woman; clarifies that third trimester abortions must be performed in a hospital. - Amends TCA Title 39, Chapter 15, Part 2.

**HB 2205 by \*Ramsey, Hensley (\*SB 2087 by \*Beavers )**

Juries and Jurors - As introduced, restores occupational and disability exemptions to jury service in effect prior to January 1, 2009, and adds dentists to exempt occupations. - Amends TCA Title 22, Chapter 1 and Title 63, Chapter 5, Part 1.

**HB 2206 by \*Hardaway (\*SB 2124 by \*Tate )**

Court Rules - As introduced, prohibits a stay or injunction for appeals cases involving public school funding. - Amends TCA Title 16.

**HB 2207 by \*Hardaway (\*SB 2125 by \*Tate )**

Education - As introduced, establishes a task force to reconstitute the current structure of the public school system. - Amends TCA Title 49.

**\*HB 2208 by \*Hardaway**

Nuisances - As introduced, authorizes prevailing party in a nuisance action to receive, in the court's discretion, court costs, attorney fees, and such discretionary costs as well as any damages to which such party is entitled. - Amends TCA Title 29.

**\*HB 2209 by \*Pitts**

Civil Procedure - As introduced, creates a defense for actions filed to collect the balance due on certain consumer loans that the loan originator did not take into consideration the credit worthiness of the debtor when issuing such loan. - Amends TCA Title 16; Title 20; Title 25 and Title 45.

**HB 2210 by \*Pitts (\*SB 1163 by \*Finney L )**

Taxes, Real Property - As introduced, increases value of elderly and disabled residence on which tax relief is available from \$25,000 to \$30,000 on January 1, 2010. - Amends TCA Title 67, Chapter 5, Part 7.

**\*HB 2211 by \*Pitts**

Banks and Financial Institutions - As introduced, specifically prohibits title pledge lenders from advertising using words that are false or misleading. - Amends TCA Section 45-15-112; Section 45-15-113; Section 45-15-114; Section 45-15-115; Section 45-15-116; Section 45-15-117; Section 45-15-118; Section 45-15-119 and Section 45-15-120.

**\*HB 2212 by \*Pitts**

Banks and Financial Institutions - As introduced, requires any person who makes a title pledge loan without a license and who does not return collateral and any money paid by borrower to pay interest to borrower at 10 percent per annum of amount owed. - Amends TCA Section 45-15-101; Section 45-15-102; Section 45-15-103; Section 45-15-104; Section 45-15-105; Section 45-15-106; Section 45-15-107; Section 45-15-108; Section 45-15-109 and Section 45-15-110.

**HB 2213 by \*DeBerry L (\*SB 2123 by \*Tate )**

Education, Higher - As introduced, prohibits the operation of proprietary schools where credit hours for coursework are not transferable. - Amends TCA Title 49, Chapter 7, Part 20.

**\*HB 2214 by \*Turner M**

Dentists - As introduced, makes department of health and local health departments responsible for certain dental emergency care for indigent adults. - Amends TCA Section 68-1-304.

(House Bills cont.)

**HB 2215 by \*Gilmore (\*SB 2108 by \*Henry )**

Hospitals and Health Care Facilities - As introduced, requires the health services and development agency to report to the senate general welfare, health and human resources committee and the house health and human resources committee concerning trends in the certificate of need process for hospitals by February 1, 2010, and every four years thereafter. - Amends TCA Section 68-11-1608.

**\*HB 2216 by \*Gilmore (SB 2180 by \*Harper )**

Solid Waste Disposal - As introduced, requires the department of environment and conservation to either work with Middle Tennessee State University and Tennessee State University in the study of solid waste management and fund such study or account for all unused funds within the department's budget. - Amends TCA Title 68, Chapter 211.

**\*HB 2217 by \*Gilmore**

Criminal Procedure - As introduced, increases from \$50.00 to \$60.00 the fee charged a person making an application to have criminal record expunged. - Amends TCA Title 40, Chapter 32.

**HB 2218 by \*Gilmore (\*SB 1763 by \*Herron )**

Consumer Protection - As introduced, makes it an unfair or deceptive act under the Consumer Protection Act to engage in foreclosure-related rescue consultant services for a fee under certain circumstances. - Amends TCA Title 45 and Title 47.

**HB 2219 by \*Stewart (\*SB 2023 by \*Berke )**

State Government - As introduced, establishes an EFFECTs position to establish an accountability process to insure state government is efficient, forward-looking, focused, energetic, competent, and transparent. - Amends TCA Title 4.

**HB 2220 by \*Stewart (\*SB 2153 by \*Haynes )**

Criminal Procedure - As introduced, authorizes use of fingerprint as form of acknowledgment in lieu of, or in addition to, a person's signature for citations and certain other notices and documents. - Amends TCA Title 7, Chapter 63; Title 16, Chapter 1; Title 40, Chapter 7 and Title 55, Chapter 50.

**HB 2221 by \*Stewart (\*SB 1990 by \*Marrero B )**

Criminal Offenses - As introduced, requires a police officer to make a reasonable effort to verify a person's identity prior to determining that a citation cannot be issued in lieu of an arrest for a misdemeanor offense because the person failed to provide satisfactory evidence of identification. - Amends TCA Title 40, Chapter 7, Part 1.

**\*HB 2222 by \*Fitzhugh**

Public Funds and Financing - As introduced, authorizes the extension of multi-year contracts and leases in certain circumstances; revises provisions governing tipping fees and surcharges under the Solid Waste Management Act of 1991; revises provisions regarding fees on the sale of automotive oil. - Amends Tennessee Code Annotated Title 3, Title 4, Title 5, Title 6, Title 7, Title 8, Title 9, Title 11, Title 12, Title 13, Title 16, Title 33, Title 36, Title 37, Title 38, Title 39, Title 40, Title 41, Title 42, Title 43, Title 44, Title 45, Title 47, Title 48, Title 49, Title 50, Title 54, Title 55, Title 56, Title 57, Title 58, Title 59, Title 60, Title 61, Title 62, Title 63, Title 65, Title 66, Title 67, Title 68, Title 70 and Title 71.

**\*HB 2223 by \*Fitzhugh**

Appropriations - As introduced, makes appropriations for fiscal years 2008-2009 and 2009-2010. - .

**\*HB 2224 by \*Fitzhugh**

Budget Procedures - As introduced, authorizes the index of appropriations from state tax revenues for the 2009-2010 fiscal year to exceed the index of estimated growth in the state's economy by \$12,700,000 or 0.1 percent. -

**\*HB 2225 by \*Fitzhugh**

Budget Procedures - As introduced, authorizes the index of appropriations from state tax revenues for the 2008-2009 fiscal year to exceed the index of estimated growth in the state's economy by \$12,300,000 or 0.1 percent. -

**\*HB 2226 by \*Fitzhugh**

Bond Issues - As introduced, authorizes the issuance of bonds in amounts not to exceed \$111,700,000 to fund state projects. -

**\*HB 2227 by \*Fitzhugh**

Pensions and Retirement Benefits - As introduced, authorizes secretary of state, treasurer and comptroller of the treasury to establish service in Group 4 for retirement purposes. - Amends TCA Title 8, Chapter 34 and Title 8, Chapter 35.

(House Bills cont.)

**HB 2228 by \*Fitzhugh (\*SB 1820 by \*Herron )**

Public Funds and Financing - As introduced, requires that payments owed to any department of state government in an amount less than \$1.00 be waived. - Amends TCA Title 9, Chapter 2.

**HB 2229 by \*Fitzhugh (\*SB 1785 by \*Herron )**

Revenue, Dept. of - As introduced, requires the department and other appropriate state departments and agencies to consult with the Tennessee congressional delegation and appropriate federal agencies on the possibility of simplifying requirements of complying with state and federal laws on employment of household employees. - Amends TCA Title 4; Title 50 and Title 67.

**HB 2230 by \*Fitzhugh (\*SB 1791 by \*Herron )**

Taxes, Gasoline, Petroleum Products - As introduced, exempts gasoline used by contractors of the division of mental retardation services from the gasoline tax under the governmental agency exemption. - Amends TCA Title 33 and Title 67.

**HB 2231 by \*Fitzhugh (\*SB 1762 by \*Herron )**

Loan Companies - As introduced, requires deferred presentment licensees to charge no more than 28 percent annual interest rate and to report the annual profits and employees' total compensation to the commissioner of financial institutions. - Amends TCA Title 45 and Title 47.

**HB 2232 by \*Coleman (\*SB 2130 by \*McNally )**

Judges and Chancellors - As introduced, changes composition of the judicial selection commission; makes all meetings and records of the commission open to the public; requires judicial applicants to submit to work and credit history checks and to submit to criminal record checks; requires that certain judges be elected by voters within the respective grand divisions of the state. - Amends TCA Title 2; Title 4; Title 16 and Title 17.

**HB 2233 by \*Coleman (\*SB 2109 by \*Overbey )**

Tort Liability and Reform - As introduced, adds the necessity of showing by clear and convincing evidence to the extraordinary good cause needed for a court to excuse noncompliance with certain requirements for medical malpractice filings. - Amends TCA Section 29-26-121.

**HB 2234 by \*Coleman (\*SB 1784 by \*Herron )**

Child Abuse - As introduced, expands the definition of severe child abuse to include exposing a child to the use or distribution of methamphetamines. - Amends TCA Title 37, Chapter 1, Part 1.

**HB 2235 by \*Coleman, Armstrong, Lundberg, Dean (\*SB 1756 by \*Marrero B )**

Drug and Alcohol Rehabilitation - As introduced, corrects reference in regard to the entity responsible for the administration of the alcohol and drug addiction treatment fund from the "department of health" to the "department of mental health and developmental disabilities." - Amends TCA Title 39, Chapter 17, Part 4; Title 40, Chapter 33; Title 40, Chapter 35 and Title 55, Chapter 10, Part 4.

**HB 2236 by \*Coleman (\*SB 1806 by \*Herron )**

Judges and Chancellors - As introduced, requires judicial selection committee to hold selection meetings in public; requires committee to rate all applicants rather than submit three nominees to governor. - Amends TCA Title 2; Title 4, Chapter 29, Part 2; Title 16 and Title 17.

**HB 2237 by \*Coleman (\*SB 1807 by \*Herron )**

Judges and Chancellors - As introduced, removes authorization for the judicial selection commission to meet in private. - Amends TCA Title 17, Chapter 4.

**\*HB 2238 by \*Odom**

Ethics - As introduced, allows ethics commission to provide information on the status of a complaint to the named complainant and the alleged violator. - Amends TCA Section 3-6-102; Section 3-6-107; Section 3-6-117; Section 3-6-202 and Section 3-6-308.

**\*HB 2239 by \*Odom (SB 2181 by \*Harper )**

Taxes, Privilege - As introduced, authorizes accountants, engineers, architects, landscape architects, and real estate brokers to present a declaration in lieu of a certified affidavit attesting to such person's inactive status for purposes of demonstrating exemption from the professional privilege tax. - Amends TCA Title 67, Chapter 4.

**\*HB 2240 by \*Maggart**

Immigrants - As introduced, requires department of safety to create identification cards for any resident of the state upon proof of identity and proof of residence. - Amends TCA Title 4; Title 50 and Title 55.

(House Bills cont.)

**HB 2241 by \*Maggart (\*SB 2129 by \*McNally )**

Mental Illness - As introduced, prohibits convicted felons from being employed by mental health residential facilities; requires the department of mental health and developmental disabilities to maintain files on the employees of such facilities. - Amends TCA Title 33.

**HB 2242 by \*Todd (\*SB 1424 by \*Stanley )**

Development Districts - As introduced, discontinues appointment of specified members of the general assembly as members on the board of directors of district management corporations and local neighborhood development corporations. - Amends TCA Title 7, Chapter 84 and Title 13, Chapter 13.

**HB 2243 by \*Lundberg, McDaniel, Dennis, Harmon, DeBerry L, Mumpower, Matheny, Casada, Carr (\*SB 2160 by \*Tracy )**

Tort Liability and Reform - As introduced, requires a survey of patients and families concerning satisfaction with performance of a long-term care facility; imposes certain requirements on tort actions involving a long-term care facility. - Amends TCA Title 29 and Title 68.

**\*HB 2244 by \*Turner M**

Safety, Dept. of - As introduced, sets amount of restoration fee above which person can petition for installment plan at \$200; prohibits department from disclosing social security number in accident report; specifies that reinstatement fee must be paid before license is reinstated under certain conditions. - Amends TCA Title 4; Title 8; Title 16; Title 33; Title 38; Title 39; Title 40; Title 49; Title 54; Title 55 and Title 65.

**\*HB 2245 by \*Turner M**

Health, Dept. of - As introduced, removes the requirement that the commissioner appoint a director of the division of health related boards from a list of three nominees submitted by a committee composed of the chairs of certain regulatory boards; revises powers and duties of the director of the division of health related boards. - Amends TCA Title 63.

**\*HB 2246 by \*Turner M**

Health, Dept. of - As introduced, removes director of state public health council from board for licensing health care facilities; revises list of entities under the division of health related boards; revises provisions governing the calling of special meetings of the board for licensing health care facilities. - Amends TCA Title 68.

**\*HB 2247 by \*Turner M**

Correction, Dept. of - As introduced, authorizes persons employed by department as internal affairs special agent or internal affairs director to administer oaths and take oral and written statements. - Amends TCA Section 4-3-609.

**\*HB 2248 by \*Turner M**

Mining and Quarrying - As introduced, revises provisions regarding required bond under the Tennessee Mineral Surface Mining Law of 1972; includes in the definition of "mineral" under the Act certain minerals on land on which any unit of state government owns the surface interests. - Amends TCA Title 59, Chapter 8, Part 2.

**\*HB 2249 by \*Turner M**

Handgun Permits - As introduced, requires the department of safety, upon receiving information that a handgun permit applicant or holder does not meet eligibility requirements for a permit, to review the arrest records with the arresting agency and review any records of conviction to determine if the applicant or holder meets the eligibility requirements. - Amends TCA Title 4; Title 8; Title 16; Title 33; Title 38; Title 39; Title 40; Title 49; Title 54; Title 55 and Title 65.

**\*HB 2250 by \*Turner M**

Drug and Alcohol Rehabilitation - As introduced, transfers responsibility for various functions related to drug and alcohol services from department of health to department of mental health and developmental disabilities; makes certain additional changes regarding such services. - Amends TCA Title 4, Chapter 31.

**\*HB 2251 by \*Turner M**

Education, State Board of - As introduced, requires the board to determine, upon recommendation of the commissioner of education, the annual student enrollment at the Tennessee School for the Blind, the Tennessee School for the Deaf, and the Alvin C. York Agricultural Institute. - Amends TCA Section 49-50-1001.

(House Bills cont.)

**\*HB 2252 by \*Turner M**

Fees - As introduced, increases maximum inspection fees for elevators and aerial passenger tramways. - Amends TCA Section 68-121-106.

**\*HB 2253 by \*Turner M**

Workers Compensation - As introduced, revises venue requirements for workers' compensation claims that do not resolve at benefit review conference. - Amends TCA Section 4-29-230 and Section 50-6-225.

**\*HB 2254 by \*Turner M**

Abuse - As introduced, revises certain reporting and investigatory requirements concerning abused adults. - Amends TCA Title 71, Chapter 6, Part 1.

**\*HB 2255 by \*Turner M**

Vital Records - As introduced, adds grandparents and grandchildren to list of relatives to whom a person's vital records must be issued upon application. - Amends TCA Section 68-3-205.

**\*HB 2256 by \*Turner M**

Salaries and Benefits - As introduced, requires department of human resources to make determination regarding award of days from sick bank within 10 business days instead of within 10 calendar days; extends maximum continuous leave grant from sick bank from 20 to 30 days. - Amends TCA Section 8-50-907.

**\*HB 2257 by \*Turner M**

Education - As introduced, removes the authorization for an LEA to transport up to 15 students to and from an interscholastic athletic or other interscholastic or school sponsored activity in a van. - Amends TCA Section 49-6-2116.

**\*HB 2258 by \*Turner M**

Education - As introduced, removes the provision whereby no student may graduate based solely on attendance in alternative schools. - Amends TCA Section 49-6-3402.

**\*HB 2259 by \*Turner M**

Correction, Dept. of - As introduced, requires that each inmate housed and then released from any of the department's institutions at the expiration of such person's sentence be provided an identification card valid for not more than one year from the date of issuance. - Amends TCA Title 41 and Title 55.

**\*HB 2260 by \*Turner M**

Correction, Dept. of - As introduced, removes limits on number of drug detecting dogs that commissioner and department are authorized to maintain for detecting drugs in correction facilities; authorizes department to obtain assistance from other agencies in detection of drugs in correction facilities. - Amends TCA Title 4 and Title 41.

**\*HB 2261 by \*Turner M**

Correctional Programs - As introduced, provides for an offender being released to the board of probation and parole, instead of the department of correction, upon successful completion of a special alternative incarceration program or a technical violator program. - Amends TCA Title 40.

**\*HB 2262 by \*Turner M**

Child Abuse - As introduced, deletes authorization for child abuse review teams. - Amends TCA Title 37, Chapter 1.

**\*HB 2263 by \*Turner M**

Safety, Dept. of - As introduced, requires motor carriers submitting vehicle for safety inspection to pay inspection fee determined by department; authorizes person whose driver license is revoked due to outstanding judgment to seek administrative review; requires confidentiality of social security number in certain documents. - Amends TCA Title 4; Title 8; Title 16; Title 33; Title 38; Title 39; Title 40; Title 49; Title 54; Title 55 and Title 65.

**\*HB 2264 by \*Turner M**

Taxes, Excise - As introduced, revises the excise tax exemption for certain family-owned non-corporate entities (FONCEs). - Amends TCA Title 67.

**\*HB 2265 by \*Turner M**

Elderly Persons - As introduced, requires background checks on certain potential employees of the departments of human services and children's services; expands scope of certain background checks for certain persons in contact with children and elderly people; revises other various provisions regarding vulnerable persons. - Amends TCA Title 71, Chapter 2, Part 4 and Title 71, Chapter 3, Part 5.



(House Bills cont.)

**\*HB 2266 by \*Turner M**

Computers and Electronic Processing - As introduced, enacts the "Health Data Reporting Act of 2009." - Amends TCA Section 68-11-211.

**\*HB 2267 by \*Turner M**

Education - As introduced, requires that each school having 12 or more, instead of nine or more, teachers have at least one full-time supervising principal. - Amends TCA Title 49, Chapter 5.

**\*HB 2268 by \*Turner M**

Workers Compensation - As introduced, authorizes the commissioner of labor and workforce development to establish a guaranty fund for certain employers that self-insure; creates the "Tennessee self-insurers guaranty fund association"; revises other provisions relative to workers' compensation and self-insuring employers. - Amends TCA Title 50, Chapter 6, Section 405, and Title 56, Chapter 4.

**\*HB 2269 by \*Turner M**

Insurance, Health, Accident - As introduced, enacts the "Tennessee Health Carrier External Review Act." - Amends TCA Title 56, Chapter 26.

**\*HB 2270 by \*Turner M**

Health Care - As introduced, makes all schools, instead of just high schools, eligible for grants from the Tennessee center for diabetes prevention and health improvement. - Amends TCA Title 4, Chapter 40, Part 4.

**\*HB 2271 by \*Turner M**

Hospitals and Health Care Facilities - As introduced, extends nursing home bed tax to 2011; removes certain provisions regarding delinquent payments of such tax. - Amends TCA Title 68, Chapter 11, Part 2.

**\*HB 2272 by \*Turner M**

Coal - As introduced, specifies that severance tax liability of a coal products owner, which applies beginning at the time the coal products are severed from the earth and ready for sale, whether before processing or after processing, also applies prior to transportation off the site on which they are severed. - Amends TCA Title 67, Chapter 7, Part 1.

**\*HB 2273 by \*Turner M**

Taxes, Franchise - As introduced, changes the requirement for the business plan that must be filed in order to qualify for the job tax credit from requiring that it be filed "on or before the last day of the fiscal year in which the investment is made" to instead require that it be filed "in a manner prescribed by the commissioner." - Amends TCA Title 55 and Title 67.

**\*HB 2274 by \*Turner M**

Industrial Development - As introduced, deletes authorization for Tennessee board for economic growth and Tennessee Tomorrow, Inc.; removes responsibility for administering institutional conservation program from energy division of department of economic and community development. - Amends TCA Section 4-3-708(4); Section 4-14-101; Section 4-14-102; and Title 4, Chapter 53.

**\*HB 2275 by \*Turner M**

Taxes - As introduced, makes certain revisions concerning assessment and collection of sales, privilege, transfer, and privilege taxes. - Amends TCA Title 7, Title 54, Title 55, Title 67, Chapter 602 of the Public Acts of 2007, and Chapter 1106 of the Public Acts of 2008.

**\*HB 2276 by \*Turner M**

Consumer Protection - As introduced, specifies that the provisions of the Tennessee Consumer Protection Act governing prizes as inducements and the prohibition on failing to clearly and conspicuously state the name and street address of the person making the offer also apply to the person marketing or promoting the offer. - Amends TCA Title 47, Chapter 18.

**\*HB 2277 by \*Turner M**

Public Funds and Financing - As introduced, removes the requirement for the head of each executive agency to submit to the commissioner of finance and administration and the comptroller of the treasury a letter acknowledging responsibility for maintaining the internal control system of the agency. - Amends TCA Title 9, Chapter 18.

**\*HB 2278 by \*Turner M**

Hospitals and Health Care Facilities - As introduced, extends expiration date of the tax on the gross receipts of ICFMRs from July 15, 2009, to July 15, 2001. - Amends TCA Section 68-11-830.

(House Bills cont.)

**\*HB 2279 by \*Turner M**

Consumer Protection - As introduced, authorizes the division of consumer affairs in the department of commerce and insurance to file certain petitions under the Consumer Protection Act in courts of first impression of Davidson County. - Amends TCA Section 4-3-1303 and Title 47, Chapter 18.

**\*HB 2280 by \*Turner M**

Insurance, Health, Accident - As introduced, requires all health insurers that collect the Health Employer Data and Information Set (HEDIS) to annually submit such information to the commissioner of commerce and insurance in a form and manner prescribed by the commissioner. - Amends TCA Title 33; Title 56; Title 63; Title 68 and Title 71.

**\*HB 2281 by \*Turner M**

Teachers, Principals and School Personnel - As introduced, decreases from 20 to 15 the number of days a substitute teacher may substitute for a regular teacher without having to possess a teacher's license or permit. - Amends TCA Title 49, Chapter 3.

**\*HB 2282 by \*Turner M**

Hospitals and Health Care Facilities - As introduced, enacts the "Adult Care Home Act of 2009." - Amends TCA Title 68, Chapter 11 and Title 56, Chapter 32.

**\*HB 2283 by \*Turner M**

Education - As introduced, requires the "parent," instead of "the mother," of a child enrolled within a model teen learning center to participate in the center's program of child care and instruction. - Amends TCA Title 49, Chapter 1.

**\*HB 2284 by \*Turner M**

Abuse - As introduced, enacts the "Elderly and Disabled Adults Protection Act of 2009." - Amends TCA Title 33; Title 34; Title 63; Title 68 and Title 71.

**\*HB 2285 by \*Turner M**

TennCare - As introduced, requires TennCare enrollees and applicants to notify the bureau of TennCare within 15, instead of 30, days after a material change in information submitted to the bureau; requires commissioner of health to consult with bureau of TennCare, in addition to Tennessee Hospital Association, prior to requesting hospitals to submit the annual report of the statistical particulars relative to patients earlier than scheduled. - Amends TCA Title 71, Chapter 68.

**\*HB 2286 by \*Turner M**

Abuse - As introduced, revises certain requirements concerning the registry of persons who have abused, neglected, or misappropriated the property of vulnerable adults. - Amends TCA Title 68, Chapter 11, Part 10.

**\*HB 2287 by \*Turner M**

Education - As introduced, changes from October 15 to October 1 the date by which the director of schools and chair of the board of each LEA must annually certify to the commissioner of education that all children enrolled in that LEA have been furnished all required textbooks, as determined by the commissioner. - Amends TCA Title 49, Chapter 3.

**\*HB 2288 by \*Turner M**

Public Property - As introduced, increases from \$5,000 to \$25,000 the amount of goods and services, for which a source of supply has not otherwise been established, that may be procured without requisitioning such goods or services through the department of general services. - Amends TCA Section 12-3-210.

**\*HB 2289 by \*Turner M**

Insurance, Health, Accident - As introduced, exempts utilization review agents who are accredited by National Committee for Quality Assurance (NCQA) from payment of annual fee; authorizes utilization review programs for the mental health and chemical dependency care to comply with either NCQA standards or Utilization Review Accreditation Commission (URAC) standards. - Amends TCA Title 33; Title 56; Title 63; Title 68 and Title 71.

**\*HB 2290 by \*Turner M**

Civil Service - As introduced, revises various civil service provisions including provision governing notification to an applicant whose application is rated by the commissioner of human resources; makes civil service provisions applicable to demotions. - Amends TCA Title 8.

(House Bills cont.)

**\*HB 2291 by \*Turner M**

Civil Service - As introduced, requires that the civil service commission meet "within 90 days from the filing of an appeal" instead of "at least once every three months"; requires that each commission member participate in a program of civil service training within three months of being appointed to commission. - Amends TCA Title 8, Chapter 30.

**\*HB 2292 by \*Turner M**

Education - As introduced, requires expulsion for one year of student who commits "aggravated assault" instead of "battery" upon any teacher, principal, administrator, any other employee of an LEA, or school resource officer. - Amends TCA Section 49-6-3401.

**\*HB 2293 by \*Turner M**

Education - As introduced, revises provisions governing the department of education contracting and collaborating with certain entities in relation to preschool programs. - Amends TCA Section 49-6-101.

**\*HB 2294 by \*Turner M**

Environment and Conservation, Department of - As introduced, authorizes the department to receive funds appropriated by Congress for subsidization of loans made through the drinking water revolving loan fund and the program for low-cost loans to local governments for wastewater facilities, through such mechanisms as forgiveness of principal, negative interest rates, or grants. - Amends TCA Title 68, Chapter 221, Parts 10 and Part 12.

**\*HB 2295 by \*Turner M**

Juvenile Offenders - As introduced, revises requirements for mental health examinations of juveniles alleged to be delinquent or unruly. - Amends TCA Section 37-1-128(e) and Section 37-1-150.

**\*HB 2296 by \*Turner M**

Insurance, Life - As introduced, enacts the "Tennessee Viatical Settlement Act of 2009." - Amends TCA Title 56, Chapter 50.

**\*HB 2297 by \*Turner M**

Judgments - As introduced, specifies that no execution or other process for enforcement of a foreign judgment may until 45, instead of 30, days after the date a summons has been served upon the judgment debtor; removes requirement that a court in this state must stay enforcement of a foreign judgment for an appropriate period if the judgment debtor shows the court any ground upon which enforcement of a judgment of any court of this state would be stayed. -

**\*HB 2298 by \*Turner M**

Education - As introduced, requires the commissioner of education to appoint six, instead of three, responsible citizens of a school district to serve on the school board in instances where the entire board of a special school district is removed for failure of the LEA to meet performance standards. - Amends TCA Title 49, Chapter 1.

**\*HB 2299 by \*Turner M**

Natural Disaster - As introduced, extends immunity to person who causes injury or death to another or damage to property in performing services requested by government during an emergency, including training exercises, unless damage results from gross negligence or willful misconduct; limits immunity for persons who provide emergency shelters under certain circumstances. - Amends TCA Section 58-2-121.

**\*HB 2300 by \*Turner M**

Water Pollution - As introduced, removes the reference to "panel" in the provisions whereby the commissioner of environment and conservation is charged with being the administrative agent for the water quality control board and panel to carry out the Water Quality Control Act. - Amends TCA Title 69, Chapter 3, Part 1.

**\*HB 2301 by \*Turner M**

Public Property - As introduced, transfers responsibility for inventorying removable equipment from department of general services to department of finance and administration; makes other changes concerning transfer of government property among agencies; removes requirement that energy impact assessments be provided for general bills. - Amends TCA Title 3, Chapter 2; Title 4, Chapter 3 and Title 12, Chapter 3.

**\*HB 2302 by \*Turner M**

Boards and Commissions - As introduced, enacts the "Tennessee Residence Commission Act of 2009." - Amends TCA Title 4, Chapter 23.

(House Bills cont.)

**\*HB 2303 by \*Turner M**

Drug and Alcohol Rehabilitation - As introduced, enacts the "Opioid Treatment Authority Act of 2009." - Amends TCA Title 33.

**\*HB 2304 by \*Turner M**

Insurance Companies, Agents, Brokers, Policies - As introduced, requires insurance companies to annually file with the commissioner of commerce and insurance a statement providing information concerning the insurers' market conduct for the reporting year; requires the commissioner to promulgate rules prescribing manner in which such statements are to be filed. - Amends TCA Title 56, Chapter 8.

**\*HB 2305 by \*Turner M**

Environmental Preservation - As introduced, authorizes division of forestry within the department of agriculture to establish a system for carbon sequestration registration. - Amends TCA Title 11, Chapter 4.

**\*HB 2306 by \*Turner M**

State Employees - As introduced, includes in the definition of "state employee" for purposes of the provisions governing defense of state employees, those persons participating in the process of executing a sentence of death as a contractor or volunteer. - Amends TCA Title 8, Chapter 42, Part 1.

**\*HB 2307 by \*Turner M**

Agriculture - As introduced, redefines "families of low income" for purposes of the "Tennessee Community Gardening Act of 1977"; deletes certain provisions regarding the schedule of fees for tobacco sales. - Amends TCA Title 43, Chapter 19, Part 4 and Title 43, Chapter 24, Part 1.

**\*HB 2308 by \*Turner M**

Probation and Parole - As introduced, requires offenders under the jurisdiction of the board of probation and parole who transfer residence to another state pursuant to the interstate compact for the supervision of adult offenders to pay to the board an application fee for the transfer; requires board to set the amount of the fee by rule. - Amends TCA Title 40, Chapter 28, Part 2.

**\*HB 2309 by \*Turner M**

Parks, Natural Areas Preservation - As introduced, adds John and Hester Lane Cedar Glades as natural-scientific area; revises the acreage and names of other scenic-recreational and natural-scientific areas. - Amends TCA Title 11, Chapter 14, Part 1.

**\*HB 2310 by \*Turner M**

Capitol - As introduced, reduces from three to two the number of carpoolers that a state employee must transport in order to apply to park in capitol carpool parking area. - Amends TCA Section 4-8-205.

**\*HB 2311 by \*Turner M**

Finance and Administration, Dept. of - As introduced, requires that any program that seeks to use health information technology to create health information exchange networks be statewide in scope; specifically includes the eHealth program. - Amends TCA Title 4; Title 7; Title 10; Title 65; Title 68 and Title 71.

**\*HB 2312 by \*Turner M**

Professions and Occupations - As introduced, makes various changes concerning pre-need funeral contracts, home inspectors, collection services, and real estate appraisers. - Amends TCA Sections 62-5-403, 62-5-409, 62-6-307, 62-20-102, 62-20-108, 62-39-102, and 62-39-105..

**\*HB 2313 by \*Turner M**

Highway Patrol - As introduced, authorizes the department of safety, when a commissioned member of the department is killed in the line of duty, to present the member's service weapon to the member's surviving spouse or child. - Amends TCA Section 4-7-110.

**\*HB 2314 by \*Turner M**

Mobile Homes and Manufactured Buildings - As introduced, revises various provisions regarding manufactured homes, including provisions governing licensure for persons engaged in the business of being a manufacturer or retailer and provisions governing installation. - Amends TCA Title 68, Chapter 126.

**\*HB 2315 by \*Turner M**

Judges and Chancellors - As introduced, requires that meetings of judicial selection commission be open to public; requires governor to select candidate from first or second panel; makes certain other changes to the Tennessee Plan. - Amends TCA Title 4, Chapter 29; Title 8, Chapter 44; Title 16 and Title 17.

(House Bills cont.)

**\*HB 2316 by \*Turner M**

Banks and Financial Institutions - As introduced, rewrites the Tennessee Residential Lending, Brokerage and Servicing Act of 1988 and renames the chapter as the "Tennessee Residential Lending, Brokerage and Servicing Act"; revises various provisions governing industrial loan and thrift companies and the department of financial institutions. - Amends TCA Title 45, Chapter 5, Title 45, Chapter 13, and Title 45, Chapter 1.

**\*HB 2317 by \*Turner M**

Election Laws - As introduced, requires that voter registration procedures provide for completed voter registration applications or address forms being transmitted electronically; requires the department of safety to maintain copies of such electronically-transmitted records. - Amends TCA Section 2-2-201.

**\*HB 2318 by \*Winningham**

Energy - As introduced, requires department of finance and administration to develop a plan for ensuring state-owned facilities have individual energy meters by 2010; includes an electric vehicle in the definition of "energy-efficient vehicle" for purposes of provisions governing energy-efficient state-owned vehicles; requires that statewide building construction safety standards include provisions for energy efficiency. - Amends TCA Title 4, Chapter 3, and 22; Title 12, Chapter 3; Title 67, Chapter 6; Title 68, Chapter 120 and Title 71, Chapter 5.

**\*HB 2319 by \*Turner M**

Food and Food Products - As introduced, enacts the "Tennessee Healthful Menu Act." - Amends TCA Title 68, Chapter 14 and Title 53, Chapter 8.

**\*HB 2320 by \*Turner M**

Tennessee Higher Education Commission - As introduced, increases membership of committee on postsecondary educational institutions from 11 to 13; adds to THEC's reporting requirements. - Amends TCA Title 49.

**\*HB 2321 by \*Turner M**

Education - As introduced, removes requirement of passage of the Tennessee comprehensive assessment program tests in order to receive a full diploma; provides for end-of-course assessments; revises lottery scholarship day provisions. - Amends TCA Title 49.

**\*HB 2322 by \*Turner M**

State Employees - As introduced, changes description of the state employee pay period from being "semimonthly" to "bi-weekly"; requires the commissioner of finance and administration to develop travel regulation forms and policies to implement the provision whereby a receiving agency in this state may pay travel expenses of persons assigned to the agency as part of a personnel interchange during the period of such assignments on the same basis as if they were regular employees of the receiving agency. - Amends TCA Title 8, Chapter 23 and Title 8, Chapter 50.

**\*HB 2323 by \*Turner M**

Deeds - As introduced, requires that address provided on certain recorded instrument that conveys interest in real property be mailing address; increases penalty for failure to enter acceptance of partial payments in a timely manner; makes other changes concerning recorded instruments. -

**\*HB 2324 by \*Turner M**

Unemployment Compensation - As introduced, revises the penalties and punishments imposed on any person or employing unit that knowingly violates or attempts to violate the provisions governing experience ratings for employers, or knowingly advises another person or employing unit to violate the provisions. - Amends TCA Title 50, Chapter 7 and Title 62, Chapter 43.

**\*HB 2325 by \*Turner M**

Medicaid and Medicare - As introduced, authorizes bureau of TennCare to bring administrative proceedings to recover TennCare funds under certain circumstances. -

**\*HB 2326 by \*Turner M**

Billboards - As introduced, prohibits the issuance, transfer, or renewal of outdoor advertising permits or tags to persons who have erected an outdoor advertising device without first obtaining a permit and tag; prohibits outdoor advertising within or on right-of-way of interstate highway or primary highway system; revises other provisions regarding billboards. - Amends TCA Section 54-21-104 and Section 54-21-105.

**\*HB 2327 by \*Turner M**

Criminal Offenses - As introduced, defines "signs" for purposes of the provisions governing offenses against property. - Amends TCA Title 39.

(House Bills cont.)

**\*HB 2328 by \*Turner M**

Codes - As introduced, requires state fire marshal to include provisions relative to energy efficiency in statewide building construction safety standards; removes exemption from such standards for one- and two-family dwellings. - Amends TCA Title 68, Chapter 102 and Title 68, Chapter 120.

**\*HB 2329 by \*Turner M**

Codes - As introduced, authorizes the state fire marshal to implement a convenience fee to cover the costs of receiving construction plans, specifications, and related fees that are electronically submitted pursuant to the laws governing building regulations. - Amends TCA Section 68-120-101.

**\*HB 2330 by \*Turner M**

Motor Vehicles - As introduced, requires department of safety to maintain records concerning convictions, disqualifications, and other licensing actions involving persons who hold a commercial driver license; requires the department to issue driver licenses and photo identifications that comply with the federal REAL ID Act; revises several other provisions regarding motor vehicles and motor carriers. - Amends TCA Title 5.

**\*HB 2331 by \*Turner M**

Motor Vehicles, Titling and Registration - As introduced, authorizes the commissioner of revenue to accept credit and debit cards for payment of titling and registration fees and taxes; increases from \$5.00 to \$5.50 the fee for noting on a certificate of title the extension of any mortgage therein described and noted thereon; revises other various provisions governing taxation, titling, registration, and regulation of motor vehicles. - Amends TCA Title 55; Title 65; Title 66 and Title 67.

**\*HB 2332 by \*Turner M**

Sheriffs - As introduced, removes as a qualification for being sheriff that a person be certified by a qualified professional in the psychiatric or psychological fields to be free of all apparent mental disorder. - Amends TCA Title 8, Chapter 8.

**\*HB 2333 by \*Turner M**

Police - As introduced, removes as a qualification for being a police officer that the person be certified as being free from all apparent mental disorders. -

**\*HB 2334 by \*Turner M**

Public Employees - As introduced, removes as a qualification to be a youth services officer or correction officer that the person be certified as being free from all apparent mental disorders. - Amends TCA Title 37, Chapter 5 and Title 41, Chapter 1.

**\*HB 2335 by \*Turner M**

Agriculture, Dept. of - As introduced, authorizes the commissioner to apply to chancery court for injunction to restrain a person from violating laws under the commissioner's jurisdiction. - Amends TCA Title 43; Title 44; Title 53 and Title 62.

**\*HB 2336 by \*Turner M**

Health, Dept. of - As introduced, revises requirements regarding health care providers making their medical records available for inspection and copying by the department. - Amends TCA Section 63-1-117.

**HB 2337 by \*Winningham (\*SB 2071 by \*Burks )**

Health Care - As introduced, establishes requirements for home health companies to provide assistance with medication to clients; requires background checks of employees, recordkeeping, and waiver. - Amends TCA Title 63, Chapter 7 and Title 68.

**HB 2338 by \*Shepard (\*SB 2176 by \*Jackson )**

Guns - As introduced, grants a shooting range that had been in operation for at least 30 years prior to December 16, 2008, the right to continue operating at the same location and such right shall not be amended, restricted, or terminated due to zoning changes. - Amends TCA Section 39-17-316.

**HB 2339 by \*Shepard (\*SB 2177 by \*Jackson )**

Divorce, Annulment and Alimony - As introduced, permits notice to dependent spouse in a divorce action of termination of health insurance coverage to occur by some method other than service under the rules of procedure provided the dependent spouse signs written acknowledgement of receipt of the notice. - Amends TCA Title 56, Chapter 7, Part 23.

**\*HB 2340 by \*Jones S**

Court Rules - As introduced, clarifies that only laws enacted prior to the effective date of a supreme court rule are of no further force if in conflict with such rule. - Amends TCA Title 16, Chapter 3, Part 4 and Title 36, Chapter 4.

(House Bills cont.)

**\*HB 2341 by \*Jones S**

Juveniles - As introduced, requires the commissioner of education to include in the commissioner's annual report information on the education of juveniles in detention. - Amends TCA Title 33; Title 37; Title 41 and Title 49.

**\*HB 2342 by \*Hardaway**

Lottery, Scholarships and Programs - As introduced, allows a student who as an entering freshman meets all nonacademic requirements, but not the academic requirements for a HOPE scholarship, to qualify for the scholarship by meeting the collegiate grade point average continuation requirements after enrolling in an eligible postsecondary institution. - Amends TCA Title 49, Chapter 4, Part 9.

**\*HB 2343 by \*Coley**

Tennessee Regulatory Authority - As introduced, changes date of authority's report to the general assembly from first Monday in February to first Monday in March. - Amends TCA Title 65.

**\*HB 2344 by \*Jones S**

Mental Retardation - As introduced, requires the commissioner of mental health and developmental disabilities to designate staff to serve as a liaison to the administrative office of the courts concerning licensing of facilities for persons with developmental disabilities who are interacting with the court system and to recommend appropriate legislation to relevant house and senate standing committees. - Amends TCA Title 13, Chapter 24, Part 1 and Title 33, Chapter 2, Part 4.

**\*HB 2345 by \*Fraley (SB 2202 by \*Stewart )**

Game and Fish Laws - As introduced, increases the one-time fee for a lifetime senior citizen sportsman license from \$200 to \$250. - Amends TCA Section 70-2-201.

**\*HB 2346 by \*Halford, Eldridge**

Fiscal Review Committee - As introduced, requires business impact note on general bills upon request of two or more members of general assembly. - Amends TCA Title 3, Chapter 2.

**\*HB 2347 by \*Fitzhugh**

Economic and Community Development - As introduced, enacts the "Community Development Stimulus Grant Act of 2009." - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 13; Title 49; Title 54; Title 64 and Title 67.

**\*HB 2348 by \*Stewart (SB 2206 by \*Haynes )**

Local Education Agency - As introduced, provides that members of special school district boards of education serving terms of length other than four years are not limited in the number of terms that they can serve. - Amends TCA Title 49, Chapter 2.

**\*HB 2349 by \*Dennis, Campfield, Faulkner, Haynes, Rich, Shipley, Carr, Eldridge (SB 2205 by \*Johnson )**

Pensions and Retirement Benefits - As introduced, requires forfeiture of access to health insurance benefits by any member of the general assembly convicted of a felony involving public office. - Amends TCA Title 8.

**\*HB 2350 by \*Fitzhugh**

Public Funds and Financing - As introduced, authorizes the extension of multi-year contracts and leases in certain circumstances; revises provisions governing tipping fees and surcharges under the Solid Waste Management Act of 1991; revises provisions regarding fees on the sale of automotive oil. - Amends Tennessee Code Annotated Title 3, Title 4, Title 5, Title 6, Title 7, Title 8, Title 9, Title 11, Title 12, Title 13, Title 16, Title 33, Title 36, Title 37, Title 38, Title 39, Title 40, Title 41, Title 42, Title 43, Title 44, Title 45, Title 47, Title 48, Title 49, Title 50, Title 54, Title 55, Title 56, Title 57, Title 58, Title 59, Title 60, Title 61, Title 62, Title 63, Title 65, Title 66, Title 67, Title 68, Title 70 and Title 71.

**\*HB 2351 by \*Miller L (SB 2207 by \*Ford, O. )**

Food and Food Products - As introduced, requires food handler employees of a food service establishment to wear plastic or latex disposable gloves. - Amends TCA Title 53, Chapter 8, Part 2 and Title 68, Chapter 14.

**\*HB 2352 by \*Dunn (SB 2204 by \*Bunch )**

Election Laws - As introduced, prohibits member of a county election commission or the state election commission from participating in the political management or leadership of a local, state, or federal political party organization or in the management or leadership of a political candidate's campaign during the member's term of office. - Amends TCA Section 2-1-112 and Title 2, Chapter 11, Part 1.

(House Bills cont.)

**HB 2353** by \*Bell (\*SB 2203 by \*Bunch )

Court Rules - As introduced, clarifies that general assembly may not substantively amend a proposed revision to a rule of court or procedure reported to it by the supreme court but may fail to approve the proposed revisions to a specific rule or a specific part of a proposed revision to a rule. - Amends TCA Title 16, Chapter 3 and Title 36, Chapter 4.

**\*HB 2354** by \*Todd, Montgomery (SB 2208 by \*Burchett )

Utilities, Utility Districts - As introduced, expands the type of securities in which utility districts may invest. - Amends TCA Title 7, Chapter 82.

**\*HB 2355** by \*Todd, Montgomery (SB 2209 by \*Burchett )

County Government - As introduced, expands authorized investments for counties. - Amends TCA Title 5, Chapter 8.

**\*HB 2356** by \*Todd, Montgomery (SB 2210 by \*Burchett )

Municipal Government - As introduced, expands authorized investments for municipalities. - Amends TCA Title 6, Chapter 56.

**\*HB 2357** by \*Johnson P, Dean, Eldridge (SB 2211 by \*Faulk )

General Assembly - As introduced, limits printed publication of Tennessee legislative record to conclusion of each annual session of the general assembly. - Amends TCA Title 3.

**\*HB 2358** by \*Armstrong

Naming and Designating - As introduced, expresses intent to name Tennessee National Guard Armory in Knoxville in honor of deserving member of United States armed forces from Tennessee. -

**\*HB 2359** by \*Curtiss

Food and Food Products - As introduced, requires sausage sold in quantities greater than a pound to be frozen. - Amends TCA Title 53.

**\*HB 2360** by \*Jones U Alcoholic Beverages - As introduced, adds Rarity Pointe in Loudon County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. - Amends TCA Section 57-4-102.

## **SECOND CONSIDERATION**

HB's 1756 – 1915 were passed on second consideration.

**2/23/09**

TRANSPORTATION – HB 1624.

## **THIRD CONSIDERATION**

### Consent Calendar:

HR 24 – RE-SET to 3/2/09.

HR 25 – ADOPTED 95-0-2.

HJR 129 – RE-SET to 3/2/09.

HJR's 131, 134, 135, 136, 137, 140, 141, 142, 143 – ADOPTED 95-0-2.

### Regular Calendar:

SJR 65 – Amd. #1 ad. – ADOPTED AS AMENDED 93-0.

## **OTHER ACTION**

HR 29 – s/r Intro., ADOPTED 96-0-1.

HJR 129 – WITHDRAWN.

SJR 65 – Recalled from Senate.



### **COMMITTEE CALENDARS FOR TUESDAY, MARCH 3, 2009**

AGRICULTURE – HHR #29 – 9:15 a.m. –

NO BILLS ON NOTICE – committee will meet. Presentations by Memphis BioWorks and Arrington Winery & Vineyards.

CONSUMER & EMPLOYEE AFFAIRS – HHR #29 – 3:00 p.m. –

NO BILLS ON NOTICE – committee will meet.

FINANCE, WAYS & MEANS – HHR #16 – 1:30 p.m. –

HJR 59. Presentation by Commissioner Goetz on Stimulus dollars.

HEALTH & HUMAN RESOURCES – HHR #16 – 10:30 a.m. –

HB 93.

STATE & LOCAL GOVERNMENT – HHR #16 – 12:00 noon –

HB's 278, 495, 580, 824.

TRANSPORTATION – HHR #16 – 3:00 p.m. –

HB's 213, 216, 231, 298, 509, 452, 642, 646.

### **COMMITTEE CALENDARS FOR WEDNESDAY, MARCH 4, 2009**

CHILDREN & FAMILY AFFAIRS – HHR #16 – 8:30 a.m. –

HB's 804, 805. Presentation: Students participating in Project I.M.P.A.C.T.

EDUCATION – HHR #16 – 11:00 a.m. –

HJR's 79, 80. Presentation by Honorable Winfield Dunn.

GOVERNMENT OPERATIONS – HHR #29 – 10:00 a.m. –

HB's 989, 995, 1019, 1030, 1046, 1059, 1077, 1084.

JUDICIARY – HHR #31 – 8:30 a.m. –

HB's 83, 411, 414, 961, 70, 67, 416, 516, HR's 14, 15, 16, 17, 18, 19, HB's 254, 716, 962, 959.

### **SUBCOMMITTEE CALENDARS FOR TUESDAY, MARCH 3, 2009**

CIVIL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –

HB's 540, 703, 1452, 405, 62, 63, 1358.

CONSUMER AFFAIRS – HHR #30 – 8:30 a.m. –

HB 1206. Speaker: Mary Clement, Dept. of Commerce & Insurance.

ELECTIONS – HHR #16 – 1:00 p.m. –

HB's 1422, 498, 31.

EMPLOYEE AFFAIRS – HHR #29 – 1:30 p.m. –

HB's 461, 64.

FAMILY JUSTICE – HHR #30 – 9:15 a.m. –

HB 66.

HIGHER EDUCATION – HHR #29 – 8:30 a.m. –

HB's 808, 1107, 934, 101, 565, 1489, 1490, 1491.

PROFESSIONAL OCCUPATIONS – HHR #31 – 8:30 a.m. –

HB's 340, 1109, 1114.

PUBLIC SAFETY – HHR #16 – 4:00 p.m. –

HB's 576, 1511, 1624, 366.

RURAL ROADS – HHR #31 – 1:30 p.m. –

HB's 470, 1, 75, 1463, 294, 343, 1272, 440.

SMALL BUSINESS – HHR #30 – 1:30 p.m. –

HB's 644, 971.

UTILITIES & BANKING – HHR #30 – 10:30 a.m. –

HB's 1216, 1438.

WILDLIFE – HHR #30 – 2:15 p.m. –

HB 569.

**SUBCOMMITTEE CALENDARS FOR WEDNESDAY, MARCH 4, 2009**

BUDGET – HHR #29 – 11:00 a.m. –

HB's 594, 7, 131, 301.

CRIMINAL PRACTICE & PROCEDURE – HHR #31 – 12:00 noon –

HB's 960, 82, 520, 517, HJR 32, HB's 1292, 814, 815, 1665, 1174, 620, 622, 623, 218, 390, 392, 582, 583, 46, 351, 284

HEALTH CARE FACILITIES – HHR #30 – 12:30 p.m. –

HB's 220, 277.

INDUSTRIAL IMPACT – HHR #30 – 10:00 a.m. –

HB's 755, 272, 595, 65, 793.

K-12 – HHR #16 – 10:00 a.m. –

HB's 92, 393, 1208, 1388, 1493, 1530, 575, 921, 849, 248, 967, 975.

LOCAL GOVERNMENT – HHR #29 – 9:15 a.m. –

HB's 643, 942, 347, 387, 1391, 402, 443, 273, 225, 875, 876, 1211, 1168.

STATE GOVERNMENT – HHR #29 – 8:30 a.m. –

HB's 533, 274, 563, 1477.

**HOUSE CONVENES AT 5:00 P.M., MONDAY, MARCH 2, 2009**